



Safety and Wellbeing Policy

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Safety and Wellbeing Policy

1. Introduction

Transport for London (TfL) is committed to maintaining a safe and healthy working environment. This policy sets out TfL's approach to ensure that safety and wellbeing is maintained at all times, in the following:

- Emergency/Security Incidents
- Pandemic Outbreak
- Workplace Violence
- Alcohol at Work
- Misuse of Drugs and the use of Illegal Substances
- Smoking in the Workplace
- HIV and AIDS Guidelines

2. Organisational Scope

Employees of TfL, Docklands Light Railway Limited, Rail for London Limited, London Bus Services Limited, London Buses Limited, Victoria Coach Station Limited who are on TfL employment contracts (Paybands 1-5 and Directors) and those staff on predecessor organisation employment contracts where the individual has transferred to the employment of TfL.

3. Policy Statement

TfL recognises that safety and wellbeing is an important element of an employee's working environment. Barriers to safety and wellbeing can undermine efficiency, productivity and competitiveness. This policy has been designed to inform employees of the safety and wellbeing initiatives considered by TfL.

4. Support and Advice

Support and advice can be obtained through speaking to your manager, or contacting HR Services. Where specific specialist guidance is required regarding medical issues, Occupational Health can be contacted.

5. Ownership and Review

TfL Employee Relations, Engagement and HR Policy

Version 1	Effective 21/05/07	
Version 2	Effective 01/10/10	To take account of the Equality Act
Version 3	Effective 05/08/13	Prohibiting of e-cigarettes and nicotine inhalers
Version 4	Effective 07/07/17	Reference to R2692 added



6. Related Documentation

Employees are encouraged to look at this policy in conjunction with:

[Code of Conduct](#)

[Attendance at Work Policy](#)

[Discipline at Work Policy](#)

[Equality and Inclusion Policy](#)

[Work life Balance Policy](#)

[Alcohol and drugs at work information for managers and employees](#)



7. Emergency/Security Incidents Policy

Introduction

The purpose of this policy is to facilitate a coordinated means of providing TfL employees with guidance in the event of emergency/security incidents. This policy has been produced to ensure that, so far as is practicable, a consistent approach is adopted throughout TfL when dealing with various aspects of the emergency/security incidents.

An emergency or security incident is defined as 'a sudden state of danger or conflict requiring immediate action'. The emergency could affect:

- buildings
- transport i.e. tubes, trains or buses

Industrial action or general travel disruption does not constitute an emergency or security incident.

Policy Statement

Business Continuity Managers across TfL have created Business Recovery Plans for all non-operational departments delivering management and support within TfL. These plans allow the critical management functions to continue during emergencies and/or security incidents.

In most emergency/security incident situations, TfL expects management and support activities to continue to function regardless of weather conditions, transportation disruptions or other factors. With this in mind, employees are expected to make every reasonable effort to report to work during such situations.

On rare occasions emergency/security incidents may cause TfL to curtail some management and support activities or stop them entirely. A determination to reduce or cease activities will be made by the Commissioner's Office or the relevant Chief Officer(s) with guidance from the modal Business Recovery Management Team (BRMT). Decisions will not normally be made on an ad hoc, departmental basis. Once a decision is made, TfL will make its status clear and this will be communicated to department heads and HR Services.

The BRMT is a group of nominated senior managers who have responsibility for the tactical management of management and support functions following a disruption.



Time critical personnel

TfL values the contribution of all its employees. However, in an emergency/security incident situation, even if TfL is severely disrupted, some functions require the on-site presence of time critical personnel to ensure continued safe and secure operations. These personnel are expected to remain at, or report to, work as scheduled during emergency/security incidents, unless specifically directed otherwise by the emergency services.

Section Heads should, in consultation with HR Services and their modal Business Continuity Manager, establish what services and staff are time critical beforehand. Arrangements to accommodate these designated personnel are detailed in departmental Business Recovery Plans.

Information on time critical personnel and Business Continuity plans can be found via this link

<http://source.tfl/HelpAndGuidance/BuildingsAndFacilities/222.aspx>

Requirements

Attendance at Work

During emergency/security incidents, every effort should be made to attend the normal place of work. Employees are reminded that it is their responsibility to present themselves for work

If TfL does not declare its offices closed as a result of an emergency /security incident, employees may nevertheless be concerned about travelling to and from work. In such cases, employees should make their own judgement about whether to stay at home or, where the incident has occurred during working hours, to leave work early. An employees' decision, based on individual circumstances, will as far as is practicable be respected when shared with line managers. Alternative means of working must be the first consideration and it should not be assumed that because of the emergency employees will be allowed time off. Line managers should be aware of the possible options open to employees which may include:

- Working temporarily from another location (including home)
- Reduced hours
- Job sharing
- Staggered hours

Travel arrangements/Expenses

If during an emergency/security incident employees are unable to use public transport for any reason, they are responsible for making alternative arrangements for getting to work. Where employees choose to use their own transport they will not be reimbursed for any expenses incurred e.g. congestion charge, parking, petrol etc.



Contact details

Where employees encounter difficulties in getting to their normal work location, local procedures for reporting absence should be followed in the first instance. Where no local procedures are in place, the following should be considered as a means of informing line managers:

- Telephone contact: this must be the first option. Wherever possible employees must speak to their line manager
- Email contact: if telephone contact is not possible
- Reporting to the nearest TfL office

Employees on sick leave during a declared emergency may be required to provide evidence (i.e. a doctor's certificate) to support this upon their return to work.

Communication

TfL recognises the importance of communication when unexpected emergency/security incidents occur. Announcements will be made in as timely a manner as possible, based on the particular circumstances involved. If the emergency results in the decision to cease parts of TfL's management and support activities, whether during standard office hours or non standard hours, communication is initiated by Internal Communications and cascaded downwards via local departments. Communication will be made as appropriate and via the following channels:

- HR Services: if operational, will notify employees generally of the status of their workplace. This information will generally be cascaded via HR offices locally
- Line Managers: employees may wish to consider providing their line manager with contact details (home and mobile numbers) and also getting, in return the contact details of their manager. This will ensure employees are able to keep in contact in the event of an emergency/security incident or denial of access to buildings
- TfL Staff Emergency Line: the Freephone message on **0800 085 2148** will be updated regularly following an event affecting any TfL Head Office building
- Email: employees are encouraged to constantly check their email account if they are able to get to it, for updates
- 'Source': the TfL staff intranet will be constantly updated to feature latest information about the incident

Additional information is available on [emergencies in a TfL building](#).



Returning to work.

Where employees have taken time off due to the emergency/security incident other than that agreed in advance with their manager, they will be expected to have a meeting with a manager and a record should be kept of this meeting. Where the line manager is absent due to the emergency incident the meeting may be conducted by another manager.



8. Pandemic Outbreak Policy

Introduction

The purpose of this policy is to facilitate a coordinated means of providing Transport for London (TfL) employees with guidance in the event of a pandemic outbreak. This document has been produced to ensure that, so far as is possible, a consistent approach is adopted throughout TfL.

Policy Statement

TfL expects management and support activities to remain in operation during a pandemic outbreak but it is recognised that conditions may cause TfL to curtail some or all activities. The latter is considered most unlikely. Any decision to reduce or close activities will be made by the Commissioner's Office or the relevant Chief Officer(s). Decisions will not normally be made on an ad hoc, departmental basis.

Once a decision is made, TfL will make its status clear and this will be communicated to department heads and HR Services.

Businesses in TfL have developed plans to allow functions to continue to operate in the event of a pandemic outbreak. Managers will liaise with Business Recovery Management Teams to ensure service provision is maintained as much as is practicably possible.

Requirements

The information below with regard to Contact Details and Communications are similar to the Emergency/Security Incidents Policy. For ease of reference it was felt appropriate to outline these again.

Attendance at Work

TfL has a duty of care to all employees and managing the workforce in response to a pandemic outbreak is a key element.

If a pandemic outbreak is declared, employees should make every effort to attend the normal place of work if they are fit enough to do so. It is anticipated that some employees may be considered as 'higher risk' e.g. people with:

- asthma
- diabetes
- heart and lung problems
- pregnant women

Managers should, wherever practicable be aware of any employees within their area who have medical conditions which could make them 'higher risk'. Employees may wish to inform their manager of any medical conditions which they feel may put them in a high-risk category. Managers must refer to any



general guidance or communication issued by Occupational Health before advising employees whether to come to work or stay at home. Occupational Health should only be contacted if further specific assistance is required.

There may be occasions where employees are unable to attend work for domestic reasons e.g.

- a family member being ill due to the pandemic outbreak
- school/nursery closure
- other care arrangements

In such cases, employees should make their own judgement about whether to stay at home. An employee's decision, based on individual circumstances, will, as far as is practicable be respected when shared with line managers.

Where absence is due to an employee needing to care for a dependant special leave may apply. In all other cases the absence can be taken as either annual leave or leave without pay subject to line manager's approval. It should not be assumed that because of the pandemic outbreak employees will be allowed time off work.

Alternative working

Where practicable and/or necessary, employees may be allowed to organise, with their manager's agreement, alternatives to the normal way of working. Alternatives **must** be agreed first with line managers who should be aware of the possible options open to employees. These may include:

- reduced hours
- job sharing
- staggered hours
- working from home

Travel arrangements/expenses

If during a pandemic outbreak employees cannot use public transport for any reason, they are responsible for making alternative arrangements for getting to work. Where employees choose to use their own transport they will not be reimbursed for any expenses incurred, e.g. congestion charge, parking, petrol etc.

Contact details

Local procedures for reporting absence should be followed in the first instance. Where there are no local procedures in operation the following should be considered:

Telephone contact: this must be the first option. Wherever possible employees must speak to their line manager

Email contact: if telephone contact is not possible

Employees who are sick whilst on annual leave during a pandemic outbreak must provide evidence (i.e. a doctors' certificate) to support this upon their return to work if they are wishing to claim back the time lost.



TfL will confirm whether absences relating to the pandemic will be considered as breaches in relation to the Attendance Policy when judged against the overall situation prevailing at the time.

Communication to employees

TfL recognises the importance of communicating with employees in the event of a pandemic outbreak. Announcements will be made in as timely a manner as possible based on the particular circumstances involved.

- Internal Communications: will notify employees generally of the status of their workplace. This information will be cascaded via departmental heads
- Line Managers: employees may wish to consider providing their line manager with contact details (home and mobile numbers), and also getting, in return the contact details of their manager. This will ensure employees are able to keep in contact with their line manager in the event of a pandemic outbreak
- TfL Staff Emergency Line: the Freephone message on **0800 085 2148** will be one of a number of ways used to provide updates regarding return to work if significant numbers of employees are advised to go home or stay at home
- Email: employees are encouraged to constantly check their email account for updates if they are able to access the system
- Source: the TfL employees intranet will be constantly updated to feature latest information

Returning to Work

Where employees have taken time off because of a pandemic outbreak whether due to their own illness or for domestic reasons, they will be expected to have a Return to Work interview with their manager. Where the line manager is absent due to the pandemic, the interview may be conducted by another manager. The Return to Work form should be completed prior to the meeting and is available on Source. Further information on the return to work interview is available in the Attendance at Work Policy or by contacting HR Services.

The Attendance at Work policy can be accessed via [Working at TfL](#).



9. Workplace Violence Policy

Introduction

This policy sets out Transport for London's (TfL's) approach in relation to the potentially damaging effect of workplace violence. Workplace Violence is defined as "any incident in which persons are abused, threatened or assaulted in circumstances relating to their work involving an explicit or implicit threat to their safety, wellbeing or health".

TfL does not condone any form of violence. For the purposes of this policy workplace violence relates to violence occurring between an employee and a third party. In the event of workplace violence occurring between employees this will normally be dealt with under the Bullying & Harassment Policy and/or the Discipline at Work Policy

Policy Statement

TfL recognises effects of violence on individuals and the negative outcomes on both work performance and the organisation as a whole. TfL is determined to take action to prevent and deal with these issues.

TfL deplores violence to employees and recognises that violence is not an acceptable part of any job. TfL will therefore take all reasonable steps to enable employees to carry out their duties without fear of assault. TfL will take steps to reduce the risk of work-related violence to our employees to a level that is as low as reasonably practicable.

Requirements

TfL will take the following steps to minimise the risk of workplace violence by:

- maintaining an integrated organisational approach to tackling work-related violence
- ensuring that measures are taken to investigate the causes of work-related violence and that incidents are properly investigated, where appropriate in liaison with the Police
- taking all reasonable steps to support the prosecution of and/or legal action against individuals who assault employees in the work place
- providing appropriate guidance and training on dealing with work-related violence
- providing support and counselling through Occupational Health for TfL employees who have experienced violence at work



Responsibilities

All employees:

- wherever possible and practical to avoid situations which may give rise to violent behaviour and to avoid fuelling a situation which may give rise to violent behaviour
- to report violent incidents immediately to their manager or supervisor and to the Police where appropriate
- to provide prompt and accurate information to their manager or supervisor concerning the circumstances regarding the incident to assist the manager in their investigation

All managers and employees with leadership or supervisory roles:

- to encourage employees to report violent incidents, to ensure that they are reported to the Police where appropriate and recorded through the Incident Report Form procedure. Incident Report forms can be obtained from Source or the local Health & Safety Advisor in your area of work
- to ensure that work related violence is included within the appropriate risk assessment for each role and department
- ensure the attendance of all employees at appropriate training courses
- to oversee investigations into all incidents of work related violence in order to establish their proper cause
- to arrange counselling, if appropriate, for those employees who have been involved in violent incidents. This should be arranged via Occupational Health
- to ensure that employees who are absent as a result of work related violence are given reasonable support and advice. Absence as a result of workplace violence will not normally contribute to any attendance at work infringements as outlined in the Attendance Policy

Director of Group Health, Safety & Environment

- to ensure that reporting, investigative and follow-up procedures for work-related violence together with local workplace risk assessments and emergency plans are audited on an ongoing basis



10. Alcohol at Work Policy

Introduction

This policy sets out Transport for London's (TfL's) approach in respect of any employee whose performance of their duties is, or may be, impaired as a result of drinking alcohol.

Policy Statement

The safety of employees and customers is of paramount importance. A major factor in this respect is the ability of those who work for us to carry out their jobs safely, effectively and to the best of their ability. Therefore TfL will operate a zero-tolerance approach to alcohol to minimise any safety risks to customers and its employees. Standards have been set for employees detailing the requirements and responsibilities regarding alcohol, to ensure that their work performance is not affected in any way by the consumption of alcohol.

TfL are committed to supporting employees who come forward to the Drugs and Alcohol Assessment Treatment Service (DAATS) or to their line manager with an alcohol related problem. Where this occurs, employees will be given reasonable support and advice in dealing with the problem. If an employee fails to inform DAATS or their line manager before a breach of this policy, TfL is unlikely to afford any additional support and appropriate action will be taken through the disciplinary procedure. Failure to comply with this policy may lead to action being taken against them. Where such breaches are deemed to be gross misconduct, disciplinary action may result in dismissal.

Admission of a problem to DAATS under Occupational Health or to the appropriate manager before the disciplinary process is initiated, offers the employee the protection of the Alcohol at Work Policy. In addition any breaches of this policy which result in disciplinary action, will take full account of any effort made by an individual to seek help with alcohol related problems.

DAATS will not normally work with employees who have an outstanding disciplinary as a result of an alcohol problem or a related misconduct.

For further information regarding the protection of the Alcohol at Work Policy, please visit the Occupational Health web site or contact HR Services.

Requirements

This document is provided to make all employees of TfL and anyone engaged through a third party working on TfL premises aware that:

- the consumption of alcohol even in small quantities will adversely affect safety, performance, conduct or efficiency



- it is an employees responsibility not to come to work if they are under the influence of alcohol. The consumption of alcohol prior to commencing work, whilst at work or during meal/rest breaks in the working day, including meal/rest breaks spent outside TfL/operational premises or when on call, is strictly prohibited and may result in disciplinary action. Where such a breach is deemed to be gross misconduct then that may lead to dismissal
- in some parts of TfL, where responsibilities may be safety critical, local requirements will also apply. When visiting such areas, local procedures will be brought to the attention of employees and must be complied with. Refer to the [Alcohol and drugs at work information for managers and employees](#).
- TfL aims to encourage employees to come forward to seek help with alcohol-related problems. Any such approach will be treated sensitively and confidentially
- the consumption of alcohol or serving of alcohol at social events on TfL/operational premises is strictly prohibited, except in designated areas where these premises have a licence to sell and serve alcohol
- it is recognised that employees may be required to attend functions on behalf of TfL where alcohol is being served. At such functions employees are permitted to consume a reasonable amount of alcohol. Employees should be mindful of their level of alcohol consumption and are reminded that when representing TfL a high level of conduct and professionalism is expected and that all employment policies and procedures apply. Should an employee bring TfL into disrepute then this may constitute gross misconduct and may result in dismissal.

Responsibilities

All employees:

- to comply and be familiar with all aspects of this policy and the Disciplinary Policy and Procedure
- must not bring alcohol onto the premises, the only exception being where alcohol has been purchased during breaks for consumption away from company premises. On these occasions the seal must remain intact
- to be mindful that some medication may contain alcohol or may cause drowsiness therefore need to inform their manager if they are taking any medication that contains alcohol or may cause drowsiness.
- to seek help if they have an alcohol related problem
- to avoid colluding with colleagues whose conduct and/or performance is affected by alcohol. If found to be colluding this may lead to disciplinary action
- to co-operate with unannounced alcohol tests and screening (where appropriate)



- to notify their manager as soon as possible if they have an alcohol-related problem
- if called upon in an emergency while off duty and having been drinking, to inform the line manager of this. In this event employees cannot give advice or guidance to others

All managers and employees with leadership or supervisory roles:

- must ensure that they and employees in their areas of responsibility are familiar with this policy
- provide support and apply effective controls and consistent application of this policy within their area of responsibility.
- must ensure that appropriate and fair action is taken to deal with any failure to conform
- to be aware that some medication may cause drowsiness
- to monitor employees who have undergone rehabilitation for alcohol abuse and to ensure compliance with this policy

Support for those seeking help and advice on an alcohol related problem is available by contacting HR Services or the Drug & Alcohol Assessment Treatment Service (DAATS) which is part of Occupational Health. It is TfL's policy to ensure any approach of this nature is treated sensitively and confidentially.

Guidance is also available from Occupational Health on the drugs that may cause drowsiness and alternatives that will not.



11. Misuse of Drugs and the use of Illegal Substances Policy

Introduction

This policy sets out Transport for London's (TfL's) approach in respect of the misuse of drugs and the use of illegal substances, including those drugs medically prescribed or available without a prescription.

Policy Statement

The safety of TfL employees and customers is of paramount importance. Indulgence in the misuse of drugs or use illegal substances can lead to dependency and resultant health problems. Research indicates that the misuse of drugs or use of illegal substances can impair an individual's performance at work and adversely affect the efficiency of an organisation. TfL aims to provide an integrated, safe and secure transport system for its customers by operating a zero tolerance approach to the misuse of drugs or use of illegal substances. Standards have been set for TfL employees' detailing the requirements and responsibilities regarding the misuse of drugs and use of illegal substances, to ensure that work performance is not affected in any way.

The term 'drugs' or 'illegal substances' used in this document are defined by law (Misuse of Drugs Act 1971) in the following ways:

- drugs that are taken for a reason other than for a medically prescribed purpose, which includes the use of illegal substances
- drugs which have been prescribed by a registered medical practitioner, e.g. to cure a disease, to ease pain, to help sleep, or to help relieve a psychological condition, including those containing alcohol
- drugs that can be purchased directly from a registered pharmacist, e.g. pain relieving tablets (Paracetamol) or hay fever relief, including those containing alcohol

TfL are committed to supporting employees who come forward to the Drugs and Alcohol Assessment Treatment Service (DAATS) or to their line manager with a drugs related problem. Where this occurs, employees will be given reasonable support and advice in dealing with the problem. If an employee fails to inform DAATS or their line manager before a breach of this policy, TfL is unlikely to afford any additional support and appropriate action will be taken through the disciplinary procedure.

Admission of a problem to DAATS under Occupational Health or to the appropriate manager before the disciplinary process is initiated, offers the employee the protection of the Misuse of Drugs and the use of Illegal Substances Policy. In addition, any breaches of this policy, which result in



disciplinary action will be dealt with taking full account of any effort made by an individual to seek help with misuse of drugs or misuse of illegal substances related problems. Failure to comply with this policy may lead to action being taken under TfL's Discipline at Work Policy which may be deemed as gross misconduct and result in dismissal.

DAATS will not normally work with employees who have an outstanding disciplinary as a result of a misuse of drugs or misuse of illegal substances related problem or a related misconduct. For further information regarding the protection of the Misuse of Drugs and the use of Illegal Substances Policy, please visit the Occupational Health web site or contact HR Services.

Requirements

This policy aims to ensure that all employees of TfL (and anyone engaged through a third party working on TfL premises) is made aware of their responsibilities regarding the misuse of drugs or the use of illegal substances.

With this in mind the provisions of this policy are:

- to make all employees of TfL aware that the misuse of drugs or the misuse of illegal substances, including those medically prescribed or available without a prescription can impair performance, safety, conduct or efficiency
- to make employees aware that to misuse, possess, consume, store (except for those prescribed and available without prescription), buy or sell (or offer to buy or sell) drugs or illegal substances on TfL premises or to come to work under the influence of drugs or illegal substances will lead to action being taken under the Discipline at Work Policy. Where such breaches are deemed to be gross misconduct, disciplinary action may result in dismissal
- to encourage employees with drug related problems to voluntarily seek help
- to assist any employee who informs TfL of their work performance being impaired by the misuse of drugs or the misuse of illegal substances

Responsibilities

All employees:

- to comply and be familiar with all aspects of this policy and the disciplinary implications resulting from a breach of it
- to ascertain whether there will be any side effects which may affect work performance as a result of taking medication for a medical problem



- to advise their manager if taking of medicine, pills or drugs is likely to impair work performance and to seek advice regarding alternatives from Occupational Health
- must not consume or use illegal drugs at any time, whether on duty or not, so as to ensure they are not under the influence when reporting for duty, carrying out work for TfL or when on TfL premises
- must not possess, store (except for those prescribed and available without prescription), or sell drugs or illegal substances on TfL premises or in vehicles, or bring TfL into disrepute by being involved in such activities outside work
- must not collude with colleagues whose behaviour and performance is affected by the misuse of drugs or the misuse of illegal substances
- to undergo screening for drugs or illegal substances prior to appointment, transfer or promotion to a post in which they will be classified as safety critical
- to notify their manager as soon as possible if they have a misuse of drugs or misuse of illegal substances related problem

All managers and/or employees with leadership or supervisory roles:

- must ensure that they and employees in their areas of responsibility are familiar with this policy
- provide support and apply effective controls and consistent application of this policy within their area of responsibility
- must ensure that appropriate fair and consistent action is taken to deal with any failure to conform
- to identify any developing problems among their staff and to intervene when an employee's performance appears to be affected by the misuse of drugs or the misuse of illegal substances
- with the support and guidance of a People Management Advisor (PMA) Specialist must undertake investigations where an employee's performance appears to be affected by the misuse of drugs or the use of illegal substances
- in the event of the above, must take appropriate action including the disciplinary policy where necessary. This may include the referral of the employee for counseling and assistance and making arrangements for employees to undergo drugs screening tests with DAATS
- to take a non-judgemental approach whilst being involved in any investigations to address an issue related to drugs or illegal substances
- to assist employees on a confidential basis who seek help on a confidential basis to overcome a drugs related problem
- to be aware that there are legal implications surrounding the misuse of drugs or the misuse of illegal substances, and that in all cases they should seek further advice from HR Services and Occupational Health as to the appropriate course of action



Support for those seeking help and advice on a drug related problem is available through contacting HR Services or DAATS which is part of Occupational Health. It is TfL's policy to ensure any approach of this nature is treated sensitively and confidentially.

Guidance is also available from Occupational Health on the drugs that may cause drowsiness and alternatives that will not.



12. Smoking in the Workplace Policy

Introduction

It is the policy of Transport for London (TfL) to set standards to ensure that safety is not compromised and that the health and wellbeing of its customers, employees and others working on TfL property are not adversely affected by the ill-health associated with smoking.

Policy Statement

Smoking

Smoking is prohibited in all workplaces. The work place includes such areas as reception, lifts, staircases, corridors, cloakrooms, toilets, storerooms, recreation/rest rooms, kitchen areas and canteens, vehicles owned by or leased to TfL and its subsidiaries and driven by employees for business purposes.

Employees who wish to smoke during breaks should make every effort to smoke away from the exits and entrances.

Electronic Cigarettes (e-cigarettes) and nicotine inhalers

The use of these products in the work place is also not permitted, on the same basis as above. E-cigarettes and nicotine inhalers are often difficult to distinguish between real cigarettes and detract from the professional image TfL seeks to portray.

Requirements

TfL aims to provide a healthier working environment for all its employees and visitors. Employees should refer to local procedures for guidance on smoking breaks during the working day.

Breaches of safety requirements and this Smoking in the Workplace Policy may lead to action being taken under TfL's Discipline at Work Policy which may be deemed as gross misconduct and result in dismissal.

For employees wishing to stop smoking, the NHS offer free local help. They operate local Stop Smoking Services all over the country. Further information can be obtained by contacting the NHS SMOKING HELPLINE: 0800 169 0 169 or visit the www.gosmokefree.co.uk web site. Additional information and advice on Smoking Cessation Products and the Quitline free phone number can be found on the Occupational Health web site. On-line health and well-being information is also available at www.Askwell.com.

All Managers have a responsibility for communicating and implementing this policy effectively.



13. HIV and AIDS Guidelines

Introduction

Transport for London (TfL) is committed to equal opportunities in employment, and aims to treat employees at all levels fairly, equally and with respect and dignity.

The purpose of these guidelines is to provide information and to ensure that managers are aware of their requirements to minimise risk within the workplace, of how to support employees with HIV or AIDS and how to manage any concerns expressed within their department...

Policy Statement

TfL aims to ensure that employees with HIV or AIDS are not discriminated against at work, because of their illness but are treated fairly, equally and with respect and dignity.

How is HIV passed on?

HIV can only be passed from person to person through body fluids, like blood, semen and vaginal fluid. It **cannot** be passed on through unbroken skin, through the air (like cold germs) or through ordinary social contact. Studies have shown that HIV cannot be transmitted through casual contact e.g touching, sharing utensils, telephones or toilet seats.

People with HIV and AIDS live and work with uninfected people without putting them at any risk. In order for a person to become infected, a sufficient amount of HIV must enter their bloodstream. For someone to be infected with HIV, three things must all be present:

- **SOURCE:** HIV can only be transmitted in certain body fluids of someone with HIV
- **QUANTITY:** Only blood, seminal fluid, vaginal fluids and breast milk of someone with HIV could contain enough HIV to infect another person
- **ROUTE:** There has to be a route for the HIV into the blood stream in order for a person to become infected

What happens when someone has HIV?

A few weeks after infection, the body's immune system reacts to the virus by producing antibodies. The person may have no outward signs or symptoms for many months or years. This is called asymptomatic infection and can last 10 years or longer.



Colds or flu are not a sign of immune system damage: people with HIV do not get colds more often than other people.

Treatment for HIV and AIDS

Increasingly it is possible to prevent or treat secondary infections using new drugs. Research continues into delaying the disease and prolonging life in someone with HIV or AIDS. Drug treatment is still experimental, but scientists understanding of how the virus works continues to improve.

Is there a risk of infection at work?

There is no risk where there is no direct contact with body fluids such as blood or semen of infected individuals. Managers need to undertake risk assessments including a review of working methods to see whether there may be a risk of employees coming into contact with infected body fluids. In general this risk is likely to arise only from accidents and/or their treatment and the usual good hygiene practices adopted to prevent contamination generally will be sufficient to prevent infection by the HIV virus.

Special Precautions

In any situation requiring first-aid, certain precautions already need to be taken to reduce the risk of transmitting other infections (such as Hepatitis B). For example, first-aiders should always cover any exposed cuts or abrasions they may have with a waterproof dressing before treating a casualty and should also wash their hands both before and after applying dressings. Where body fluids have to be cleaned up, disposable gloves should always be worn and paper towels used; these items should then be placed in hazard bags and safely disposed of.

Confidentiality

Managers should treat employees with HIV or AIDS with the same sensitivity given to employees suffering from any other serious illness and ensure that any information they possess is maintained in complete confidence. They should not attempt to advise or counsel employees with HIV but should refer them to services as outlined under Advice and Support.

If an employee wishes to discuss their illness with the Medical Adviser or Counsellor this information will remain strictly confidential to the person consulted. No other employee (including the employee's manager) will be informed without the individual's specific permission, except in the unlikely situation that not to do so would contravene Health and Safety legislation. The Manager would, if necessary, be informed of the effect of the condition on safe working rather than details of the condition itself.

Should an Employee disclose they have HIV or AIDS?

Employees are under no obligation to disclose their condition to their employer. However, they are required to disclose all past and current illnesses and treatment, at the pre-placement checks stage and any other



medical assessment. If employees do reveal this information at a medical assessment, it will remain confidential to Occupational Health.

Attendance at Work

Where absence from work is known to result from HIV or AIDS related illnesses, it should be treated as any other absence would be and the usual attendance guidelines will apply. Self certificates should be completed by the employee for absences of seven days or less. Medical certificates are required for absences of eight days or more to run consecutively over the period of absence. Return to work procedures also apply.

Attitudes of Colleagues at Work

Providing general information, particularly about the methods of transmission, workplace implications (including first aid), the organisation and employee responsibilities, should help to allay any fears and ensure normal working relationships.

HIV or AIDS is included in the definition of a disability under the Equality Act 2010 and, discriminating against an employee with HIV/AIDS is a disciplinary matter. If employees refuse to work normally with a person infected with HIV or AIDS, the manager should respond as they would to other disciplinary matters and seek a resolution through normal procedures. Dismissing individuals who are, or are thought to be, HIV positive or have AIDS because of their illness or simply because of pressure from other employees would in many cases expose the employer to a claim for unfair dismissal. Suspending them may also reinforce the groundless fears of their colleagues.

Further information

Information, advice and support on HIV or AIDS can be obtained from the following sources:

Internal:

- **Occupational Health**
Medical Advisory Service 0845 600 2490 (1760)
For all Treatment Services including the Counselling and Trauma Unit
0845 600 1776 (1776)
- **HR Services: 1729**

External:

- **Terrence Higgins Trust Helpline 0845 1221 200**
12 noon - 10pm, daily
Leading HIV & Aids charity in the UK and largest in Europe
- **National Sexual Health Helpline 0800 567123**
(24 hours, free)
For free, confidential information, advice and support on all aspect of HIV/AIDS and sexual health
- **National Drugs Helpline (FRANK) 0800 776600**
(24 hours, free)
Free confidential drugs information and advice 24 hours a day.



- **Haemophilia Society 020 7380 0600**
(9am - 5pm, Mon-Fri)
Provide services for people with haemophilia affected by HIV and Hepatitis C. The Haemophilia Society has a strict confidentiality policy and is committed to equal opportunities.
- **Positively Women 020 7713 0222**
(10am - 5pm, Mon-Fri)
Positively Women is the only national registered charity offering peer support - support for women living with HIV by women living with HIV.