

# Practical Support

## Positive at Work

Since the introduction of anti-retroviral treatments, people living with HIV can generally expect to lead a full and productive working life.

Obviously, as with anyone, situations and circumstances can change and there may be times when people are not currently employed and may need assistance with benefits, job seeking, retraining etc.

Most people who are HIV positive report that their HIV status does not have a significant impact (if any) on their everyday working life. However, for others HIV related discrimination in the workplace can be a very real issue.

## Equality Act 2010

The Equality Act provides protection from discrimination in a number of areas. In this Act, an HIV positive diagnosis is defined as a disability and as such provides a range of protections including in employment matters.

Some of the key protections offered by the Equality Act include:-

### Recruitment

Generally, there is no legal obligation to disclose HIV status at work or to prospective employers. The Equality Act means that it is unlawful to ask questions about a candidate's health or disability prior to making a job offer.

There are very few occupations where disclosure of HIV status is required and even fewer where people who are HIV positive are restricted from that particular profession. This includes the armed forces, airline pilots and some healthcare workers whose jobs include exposure prone procedures e.g. surgeons, dentists and midwives.

### At Work

Employers need to make appropriate adjustments to cater for all their employees including people living with HIV. This can include giving paid time off to attend medical appointments that are directly related to an HIV diagnosis or the privacy and time needed to take medication during working hours.

As part of the requirement to create a safe working environment for all, employers also have a duty to respond to any work based harassment that is rooted in HIV related stigma, prejudice or discrimination.

## **Sick Leave**

Sickness absence related to being HIV positive should be treated the same as any other illness and only if absences affect the ability to do a job/return to work should this become an issue.

For staff who need to take a significant amount of sick leave from work that is directly related to their HIV status it should be possible for an employer to make a reasonable adjustment and record any disability-related absences separately for the purpose of sickness absence records/procedures.

## **Local Support on Work Related Issues**

If you have concerns or are experiencing difficulties or problems related to work and being HIV positive, the staff at The Forge Centre can provide advice and support on any of the issues detailed in this section.

## **Useful Resources**

NAT (National AIDS Trust) – briefings on HIV at Work, HIV and Recruitment & Employment Restrictions for Healthcare Workers with HIV

## **Welfare Benefits**

If you are living with HIV and this is impacting on your quality of life and ability to work, you may be eligible for welfare benefits. Or you may currently be receiving benefits but are thinking about getting a job and may be worried that this will affect your eligibility for welfare payments. Whatever your circumstances, it's important that you get the relevant information about what you are entitled to.

Some of the current welfare benefits available that you may be eligible for include:

### **i. Disability Living Allowance**

This payment is available for disabled children and adults under 65 who need help looking after themselves. This benefit is not means-tested so is not dependent on your current income or savings. To find out how to apply go to [www.direct.gov.uk](http://www.direct.gov.uk) or contact the benefits enquiry line 0800 88 22 00.

### **ii. Employment Support Allowance**

This payment is available for people who are ill or disabled and therefore unable to work. This benefit is means-tested and is dependent on your current income, capital and savings. In order to apply you will need a letter from your GP or consultant and then contact Job Centre Plus on 0800 055 66 88.

### **iii. Housing Benefit**

This payment is available for people in rented accommodation who are having difficulty paying their rent. This benefit is means-tested and is dependent on your current income, capital and savings.

### **iv. Jobseekers Allowance**

This payment is available for people who are out of work but currently seeking work. This benefit is means-tested and is dependent on your current income, capital and savings. In order to apply contact Job Centre Plus on 0800 055 66 88.

The system that enables access to these welfare benefits can sometimes be daunting and confusing. Fortunately there is a lot of support available both locally and nationally to help you find out what benefits you may be eligible to receive.

## **Where to get help:**

### **THT Direct**

THT Direct is a telephone helpline staffed by a team of trained advisors – call 0808 802 1221 from 10am till 10pm weekdays and from 12pm till 6pm weekends.

### **myHIV.org.uk**

Website that offers online advice from their team of advisors. Also contains lots of information about benefits.

### **direct.gov.uk**

Government website outlining the different welfare benefits available

### **[benefits.tcell.org.uk](http://benefits.tcell.org.uk)**

Website with tips and information about benefits, written by and for people living with HIV

### **Citizens Advice Bureau**

Citizens Advice Bureau is a national chain of volunteer staffed advice centres.

#### **Sharrow Citizen's Advice Bureau (CAB)**

416-418 London Road

SHEFFIELD

S2 4ND

Tel: 0114 258 3322

#### **Pitsmoor Citizen's Advice Bureau (CAB)**

30 Spital Hill

SHEFFIELD

S4 7LG

Tel: 0114 275 5376

#### **South East Sheffield Citizen's Advice Bureau (CAB)**

77 Queen Street

Mosborough

SHEFFIELD

S20 5BP

Tel: 0114 248 0043

#### **The Forge Centre**

Sheffield Social Work Team for people living with or affected by HIV. Contact 0114 226 1142

\*Source of benefits information from myHIV.org.uk

## Pensions

If you have paid enough National Insurance contributions during your working life in the UK you will be eligible to receive a state pension. The age at which you are eligible to claim your state pension is set to increase in coming years.

You may also choose to take out a personal pension, where you determine how much money you put into the pension. This will affect how much money you receive when the pension plan matures. People living with HIV who have a personal pension may choose to apply to take early retirement and receive their pension earlier than originally planned.

Your employer may also operate a company pension scheme where you can make regular contributions via your wages. If you are forced to retire due to ill health you may be able to apply for early retirement on the grounds of ill health, though this will depend on your specific company scheme.

## Life Insurance

In order to take out life insurance for an endowment mortgage certain questions will be asked about your health, which may include whether or not you have been diagnosed with HIV. It is important that you answer these questions honestly, as an insurance company will not pay out on a claim if you are found to have not told the truth. There is currently no standard life insurance policy that will cover people living with HIV if they die of an HIV-related illness.

However not all mortgage lenders require you to take out life insurance to secure a mortgage on a property. Many will be satisfied if you can prove you have enough regular income to pay the cost of the mortgage. Therefore it is important to find out whether life insurance would be required when seeking a mortgage. An independent financial adviser will be able to help you with this. Go to [direct.gov.uk](http://direct.gov.uk) to find out more about independent financial advice.

## Wills

It is important to draft a will to ensure that your inheritance (money, property, belongings) goes to the person(s) you wish to receive them after your death, rather than have that decision made by the state without your approval. This is particularly important if you are not married/civil partnered or if you have children under the age of 18.

If you are thinking about drawing up a will, it is important to get reliable legal advice from a solicitor to help with this process. The Community Legal Advice Helpline on 0845 345 4345 will be able to help you find a local solicitor in Sheffield to advise you on drawing up your will.

THT have also produced 'Plan The Future: A Guide To Making A Will' which may help you with the process of making a will.

\*Source of information from [myHIV.org.uk](http://myHIV.org.uk)

## Power of Attorney

If you want to give the authority to someone to look after your financial affairs and your health and welfare, this is referred to as Lasting Power of Attorney. It is important to think about how you would want to manage your affairs if you were no longer able to make the decision yourself, then discuss this with and nominate someone you trust, whether that is a friend or family member.

In terms of setting up Lasting Power of Attorney, an independent financial adviser or an advice worker at a local citizen's advice bureau will be able to help. Go to [direct.gov.uk](http://direct.gov.uk) to get information about independent financial advice or go to [citizensadvice.org.uk](http://citizensadvice.org.uk) to find out where your nearest citizens advice bureau is.

## Housing

Whatever your current housing situation (whether you own your own home, have a private or council tenancy or are living with friends or family members) you may find that you need support or assistance to either find suitable accommodation, maintain your existing accommodation or deal with housing problems that may or not be related to your HIV status.

We do know that poor-quality accommodation can have serious implications for the health of people living with HIV. People who are living with HIV may be particularly affected by living in poor quality or overcrowded housing and this can have a very detrimental effect on general health and wellbeing and particularly on mental and emotional health as this can contribute or exacerbate stress related illnesses and depression.

People who have physical health problems that are directly related to living with HIV can be especially affected by housing that has poor heating, is damp or has inadequate toilet / bathroom facilities. Problems with noisy or difficult neighbours can also affect overall quality of life.

There is a wide range of support in Sheffield to help with any problems associated with housing issues and the agencies that provide this type of support locally are listed at the end of this page.

### **Support that they offer includes:**

- Assistance with and advocacy on housing applications
- Assistance with applications for housing transfers
- Advice and guidance on housing benefit
- Help with dealing with problems of disrepair/ poor quality accommodation
- Help with managing mortgage arrears / debt problems
- Help in finding emergency accommodation

## Harassment

Unfortunately, some people living with HIV continue to experience harassment from their neighbours which is not only unacceptable but is also unlawful under the Protection from Harassment Act 1997.

Whatever their type of accommodation, anyone experiencing harassment at home can get help and support to bring this harassment to an end or to seek out alternative housing options. The agencies listed on this page can give you advice and help you if you are experiencing harassment at home – or elsewhere.

Under the Equality Act, it is illegal to harass a disabled person for a reason that is connected to their disability. In this Act, an HIV positive diagnosis is classed as a disability and the Act, therefore, affords someone who is living with HIV the full protection of this law. In particular it is useful to know that all local authorities and other public bodies (including the police) have a duty to take steps to eliminate the harassment of disabled people.

## Local Housing Support

If you have concerns or are experiencing difficulties or problems related to your housing or accommodation situation, the staff at The Forge Centre can provide advice and support.

## Travel

Any international travel requires a certain amount of planning and preparation in advance, but for people living with HIV there may be some additional consideration and planning required so that they can look after their health, and enjoy their travel as best they can. In this section you will find information on things to consider.

## Your health

Before planning any travel it would be really useful to think about your current health, if you have been unwell recently, or anything else that could make travel, particularly internationally, more difficult for you. You may find it useful to speak to your healthcare team or doctor to discuss if you are fit for travel.

If you are on a treatment regime you may need to speak with your healthcare team about taking a sufficient quantity of medication with you, for the planned duration of your stay as there is no guarantee you will be able to access your medication at your chosen destination. It may be worth planning your dosage taking into account any possibilities for delays or changes in plans.

If you are intending to carry medication for international travel you will need to ensure that it is clearly labelled, accompanied by a letter from the prescribing doctor explaining that the medication needs to be taken regularly. This Customs requirement applies to all prescription drugs, not just HIV medication.

When planning for your time away there are other things to consider including:

- Dependent on your intended destination, you may wish to discuss immunisation requirements for travel with your healthcare teams or medical professional. Seek advice on immunisation options well in advance of any planned journey as to which vaccines can be safely administered to people who are HIV+ , and that these can be given in time so that they can work effectively.
- Managing your treatment regime – will you be planning to adjust the timings that you take your medication? Taking into account any changes of time zones, or your planned activities – having a strategy for how you will manage this would be really useful to prepare in advance.
- Find out all you can about your chosen destination – Where can you access medical care or treatment if your medication is lost or stolen? Are there entry restrictions or regulations that would prohibit your ability to enter that country, or are there regulations that would restrict you from carrying your medication into the country? Having this information in advance can be useful to you in planning where you intend to travel to. see International Travel

## International Travel

While few countries ban tourist travel on the grounds of HIV, there are a larger number of countries which have entry restrictions for people living with HIV, such as the carrying of HIV medication into the country.

In planning your journey it would be advised to research your planned destination in advance for any restrictions that could impact on your health, your ability to access the country, or your ability to access your medication. Useful information on countries and their entry restrictions can be found at either [www.aidsmap.com](http://www.aidsmap.com) or [www.hivtravel.org](http://www.hivtravel.org) a resource website that is regularly updated with details on entry restrictions and other useful information for people living with HIV.

It would also be advisable to consider having appropriate travel and medical insurance in place. While most policies and travel insurance companies do not cover pre-existing medical conditions such as HIV, travel insurance can still be a really important consideration when planning any time away as any illnesses or accidents that may occur, that are unrelated to your HIV status may become more problematic or expensive without any cover. It is important to know that if you have failed to inform your insurer of your HIV status, this would invalidate your policy for any such incidents.

While no insurance service can be recommended, and it would be advisable to source comparative quotes from a number of agencies.

Some of the information in this section has been sourced from [myHIV.org.uk](http://myHIV.org.uk)

## Asylum Seekers & Refugees

If you are an asylum seeker or refugee and also living with HIV, there can be many challenges and concerns that you may need support with – this could be directly related to your HIV status or about general healthcare, finance, housing or your immigration status.

Whatever your status, you have the right to be safe while living in the UK. And that means the right to be safe in your home, when you go out, within your community, at places you visit and where you work.

If you are an asylum seeker who has not been granted refugee status, you will not be allowed to claim benefits in the same way as UK citizens but you may be entitled to housing and support.

The asylum process and associated support systems are quite complex and it is, therefore, really important to get the right advice and guidance from a reputable advice service.

The Refugee Council offer a free confidential telephone advice service (which is free to call even from mobiles without credit). They can be contacted on 0808 808 2255 and will be able to discuss any problems they may have as an asylum seeker or refugee including the asylum process, support and entitlements.

This may include:

- Any support available through NASS (National Asylum Support Service)
- Housing
- Welfare rights and benefits
- Immigration queries e.g. travel documents, citizenship and nationality
- Information about choices-assisted voluntary returns



## Healthcare

There are rules about asylum seekers and refugees on who can obtain NHS treatment. These rules are quite complex but an important message is that you cannot be refused essential treatment for HIV. Also, HIV testing is available free of charge to anybody regardless of the immigration status.

The specialist HIV staff at the Hallamshire Hospital will be able to talk through the treatments and support available in Sheffield for people who are HIV positive.

For general healthcare issues, the Mulberry Practice offers primary care services to asylum seekers residing in Sheffield. The Mulberry Practice consists of health practitioners who have specialist experience in caring for asylum seekers. Patients are registered with the practice and receive primary health care until their asylum case is resolved.

## Local Support and Advice Services

If you are an asylum seeker or refugee who is living with or affected by HIV, the staff at The Forge Centre can provide advice and support on a range of associated issues.

**Other useful local asylum seeker/ refugee services are:**

**ASSIST Sheffield  
(Asylum Seeker Support Initiative Short Term)**

C/o Victoria Hall Methodist Church  
Norfolk Street  
Sheffield  
S. Yorkshire  
S1 2JB

Tel: 0114 275 4960

Website: [www.assistsheffield.org.uk](http://www.assistsheffield.org.uk)