

**To:** NOSM U Senate                      **Date:** TBD

**From:** Dr. Harshad Telang

**Subject:** Revised Code of Conduct Policy, Procedures and Professional  
Attributes

**Action Required:**    INFORMATION                       APPROVAL/DECISION

**Title:** Revised Code of Conduct Policy, Procedures and Professional Attributes Guidelines

**Executive Summary:**

This briefing note aims to advise the Senate of the proposed changes to the Code of Conduct Policy, the associated Procedures and Professional Attributes Guidelines and seek approval of these new documents, which will replace the previous versions.

**MOTION OR RESOLUTION:** First Reading - For Approval April 19  
Moved that the revised Code of Conduct Policy, the associated Procedures and Professional Attributes Guidelines be approved as presented.

**Context or Scope of Problem:**

A Clinical Sciences Code of Conduct Policy is required to define and promote appropriate professional values, attributes and behaviours, which together set the standards of professionalism; serve as a statement and code of conduct for all NOSM U's Clinical Faculty in clinical and academic settings and set out the mechanisms available to identify and address breaches of professionalism.

**Policy Recommendations:**

The Code of Conduct Policy and the associated Procedures and Guidelines required updating. The revised Policy is more streamlined, provides greater clarity and reflects NOSM University's status.

**Consulted or Recommended Sources:**

Vice Dean Clinical Relations

Associate Dean Faculty Affairs

Associate Dean Research

Division Heads

Section Chairs

Physician Clinical Teachers Association

NOSM U Staff and Faculty Association

**Communications Strategy:**

The new Policy, Procedures and Guidelines will be announced at the divisional meeting and distributed to the faculty.

The new Policy, Procedures and Guidelines will also be sent directly to LEG Leads and Site Liaison Clinicians, advising them of the new documents.

The new Policy, Procedures and Guidelines will replace the old ones in the Faculty Handbook. The Handbook is placed on the internet and distributed to faculty at the time of appointment and reappointment.

## **Clinical Sciences Division Professionalism and Code of Conduct**

Approval Authority: Senate

Established On: June 7, 2012

Amendments:

Category: Academic

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### **1.0 POLICY STATEMENT**

The purpose of this Policy is to:

- define and promote appropriate professional values, attributes and behaviours, which together set the Clinical Faculty's standards of professionalism.
- serve as a statement and code of conduct for all NOSM U's Clinical Faculty in clinical and academic settings, and
- set out the mechanisms available to identify and address breaches of professionalism.

This Policy is not meant to:

- replace legal or ethical standards defined by medical licensing or regulatory organizations or bodies, or
- derogate from responsibilities, requirements or procedures under:
  - applicable health care legislation and regulation.
  - NOSM U's academic regulations.
  - other applicable University policies or procedures.

### **2.0 SCOPE**

This policy applies to all Clinical Faculty members and their interactions, whether at the NOSM University, in clinical or other instructional settings, and whether these happen in person, in writing or by electronic means (for example, email, social media, internet).

Allegations related to research misconduct will be dealt with as outlined in the Responsible Conduct of Research Policy.

### **3.0 DEFINITIONS**

For the purposes of this Policy, the following definitions apply:

**Faculty Member** means all NOSM U Clinical Sciences faculty, including clinicians with academic appointments as well as staff whose salary or stipend may be paid, in whole or in part, by another organization.

**Learning environment** encompasses the classroom, the lab or other research settings, the affiliated clinical care setting at affiliated hospitals or other medical care instructional sites, and includes both formal learning activities and informal interactions with learners.

**Professionalism concern** is a situation whereby a faculty member engages in behaviour that does not meet NOSM U's core values or the professionalism standard of this Policy.

#### **4.0 POLICY TERMS**

NOSM U reaffirms its continuing commitment to providing, promoting and maintaining a professional and respectful work and learning environment. The Office of Faculty Affairs is committed to monitoring the learning environment by communicating regularly with hospitals and other instructional sites, identifying positive and negative influences on maintaining professional standards and developing appropriate strategies to enhance the learning environment.

NOSM U recognizes the importance of professionalism in medicine and that it is taught and modelled. NOSM U reaffirms its commitment to recognizing and promoting positive role models in professionalism. Professionalism is a condition of obtaining and maintaining an academic appointment and is a required standard for promotion through academic ranks.

NOSM U recognizes that unprofessional behaviour is disruptive and can affect or interfere with the quality of medical education, research and patient care, as well as the healthy functioning of the learning environment.

NOSM U continues its commitment to provide regular training for faculty members on professionalism in conjunction with appropriate regulatory colleges or other universities, to address professionalism concerns, and to provide mechanisms and resources to correct recurring professionalism concerns.

Furthermore, it is expected that clinical faculty **must**:

- Uphold the standards of medical professionalism, professionally conduct themselves, and **not** engage in disruptive behaviour while using social media.
- Consider their conduct's potential impact on the profession's reputation and public trust.
- Advocate for patients and for an improved health care system. While advocacy may sometimes lead to disagreement or conflict with others, physicians **must** continue to conduct themselves professionally while using social media for advocacy.

## 5.0 DATABASE

The Office of Faculty Affairs will maintain a database to collect information on breaches of professionalism and code of conduct.

The database will contain the following information:

- name of the faculty member,
- status of professionalism/code of conduct concern,
- academic year of occurrence,
- nature of professionalism/code of conduct concern and outcome.

Examples of professionalism concerns are:

- harassment (non-sexual),
- harassment (sexual),
- discrimination,
- racism and reprisal,
- breach of confidentiality,
- disruptive behaviour,
- disrespectful treatment of learners, colleagues, and staff.

Examples of outcomes are:

- “cup of coffee conversation” \*
- resolved and no further escalation (Level 1\*),
- informal (Level 2\*),

- formal (Level 3\*),
- legal proceedings, or
- satisfactory resolution (as per the person who brought the professionalism concern forward).

The database will track the amount of professionalism/code of conduct concerns, the nature of the concern, and the outcome, so that the Office of Faculty Affairs may identify patterns and develop appropriate strategies for improving the learning and work environments. The personal information in the database is confidential and treated according to Ontario Freedom of Information and Protection of Privacy Act.

The information in the database may also be used by a restricted number of individuals to provide “guided” intervention. Information related to concern will be limited to only those within NOSM U who need to know to be able to carry out their duties.

Upon written request to the Clinical Sciences Division Head, a faculty member shall have the right to examine the contents of their database file. Faculty members have the right to have their database files corrected in the event of an error. In the event of an alleged distortion, faculty members shall have the right to request the removal from their database file of any false or unsubstantiated material. Such requests shall be made to, reviewed, and verified by the Division Head and must be accompanied by reasons why the material is false or unsubstantiated. Verified errors will be corrected as necessary.

*\*Note, Level 1, 2, and 3 definitions can be found in Appendix A.*

## **6.0 CORE VALUES AND PROFESSIONALISM STANDARDS**

NOSM U expects faculty members to demonstrate the values, attributes, and behaviours essential for physicians, researchers, or professors throughout their academic appointments or employment.

More specifically, the most responsible physician/supervisor provides a model of appropriate and compassionate patient care. In general, regulatory bodies such as the CPSO make findings

of professional misconduct, and some findings may impact the ability of faculty members to supervise learners. Members of the Clinical Sciences Division (CSD) are therefore required to **self-report to the Division Head of CSD any change in their hospital privileges and/or any information that is relevant to a clinical academic appointment**, including but not limited to:

- if they have been convicted of a criminal offence,
- if they have been found guilty of academic misconduct at another university,
- incompetence, negligence or any form of professional misconduct by a panel of the CPSO's Discipline Committee or Fitness to Practice Committee (or its equivalent in any jurisdiction).

It is expected that the faculty member will make such a report within ten business days of receipt of notification of such a finding in the case of an inquiry by a Discipline Committee or Fitness to Practice Committee. Reporting should conform to CPSO direction and hospital bylaws, especially if such an inquiry were relevant to a violation of CPSO guidelines for the supervision of trainees.

All faculty members are expected to adhere to, demonstrate, and promote NOSM U's core values: respect, collaboration, innovation, inclusiveness and social accountability.

The NOSM U professionalism standard and code of conduct are set by the fundamental core values in this Policy and the various attributes and behaviours described below. These attributes and behaviours are listed with a core value, are not meant to be exhaustive and may overlap with other core values.

*The Professional Attributes and Behaviours Guidelines* document provides a more comprehensive definition of the attributes listed below:

- respect
- collaboration
- excellence
- compassion and empathy
- integrity and honesty

- equity
- wellness
- confidentiality
- responsibility and accountability
- dedication and self-improvement

**Harassment or Discrimination.** NOSM U's [Human Rights, Anti-Discrimination and Harassment Policy and Procedures](#) should be consulted when a concern consists of or is a form of harassment and/or discrimination. Some examples include:

- Making derogatory comments related to an individual's protected grounds; telling or posting discriminatory jokes, slurs, posters, cartoons, etc.; drawing attention to an individual's protected grounds to undermine their role in a professional or business environment; innuendo, taunting or ostracizing a learner or faculty member on the protected grounds.
- Sexual harassment, such as unwanted comments or behaviours related to one's sexual orientation or display of degrading or stereotypical images of a sexual nature.
- Inappropriate forms of communications, whether on social media/ internet, in person or by other means - including antiracism, the use of unacceptable words, images, or actions such as profane or disrespectful language; inappropriate labels or name-calling; patronizing and insulting remarks; shaming others publicly; yelling or screaming; using intimidation tactics to gain compliance from others; verbal insidious intimidation with gossiping, spreading rumours, constant criticism; intimidating gestures by slamming doors or throwing things; or non-verbal gestures such as rolling eyes, exaggerated sighing, making faces, turning away.
- Confidentiality breach of a learner's personal or academic information.
- Retaliation, including making threats or acting against someone who reports disruptive behaviour or acts as a witness regarding disruptive behaviour; making threats or acting against those who express a difference of opinion, including involvement in appropriate advocacy or performance management activities.
- Uncooperative behaviours, including intentional, subtle, and/or uncooperative behaviour, showing disrespect for others and showing up late for meetings.



- Other unethical practices, including attempts to exploit others for personal gains, taking credit for someone else's ideas, or inappropriately accessing information. For example, placing a learner in the middle of a conflict between healthcare workers or using care issues to meet one's own agenda would be considered unethical practices.
- Academic fraud as a condition to obtain and maintain an appointment and for promotion. NOSM U requires Clinical Faculty Members to demonstrate NOSM U's core values and to uphold the professionalism standard at all times throughout the duration of their appointment.
- Academic freedom is to be protected, including the rights of free expression, inquiry and research.
- Intimidation does not include the good faith exercise of supervisory responsibilities, including, without limitation, assessments and criticisms of the learner's academic efforts, even where the learner does not agree with such assessment(s) or criticism(s) or finds the process uncomfortable or difficult.
- Personnel harassment does not include the normal exercise of academic freedom providing the academic freedom is not exercised in a discriminatory, humiliating or abusive manner that serves no legitimate or academic purpose.

A faculty member risks losing their appointment, losing privileges or being denied promotion if the faculty member fails to adhere to NOSM U's core values and the professionalism standard, has lost their medical privileges at the hospital, or is otherwise no longer permitted to practice medicine within the clinical setting, or no longer permitted to conduct research because of a professionalism concern.

See Procedures for Clinical Faculty Professionalism and Code of Conduct for General Principles on Approach for Concerns and Complaints Process.

## **7.0 INTERPRETATION**

Questions of interpretation or application of this policy or its procedures will be referred to the Clinical Sciences Division at [divclinsci@nosm.ca](mailto:divclinsci@nosm.ca)

## 8.0 RELATED DOCUMENTS

For further information, the reader is referred to the following:

Appendix A - The Vanderbilt Model

Appendix B - The Professional Attributes Guidelines

Procedures to Clinical Faculty Professionalism and Code of Conduct

[Conflict of Interest with-Commercial-Entities-November-29-2013-Board-Approved-FULL-DOCUMENT.pdf](#)

[Mission Statement](#)

[Faculty Handbook](#)

[Human Rights, Anti-Discrimination and Harassment Policy and Procedures](#)

[CEPD Protocol on Relationships with Industry](#)

[NOSM University Responsible Conduct of Research Policy](#)

The reader is also referred to the following regulations of external organizations:

[Canadian Medical Association Code of Ethics and Professionalism](#)

[Canadian Medical Association Guidelines for Physicians in Interactions with Industry](#)

[College of Physicians and Surgeons of Ontario: The Practice Guide: Medical Professionalism and College Policies](#)

[College of Physicians and Surgeons of Ontario: Physician Behaviour in the Professional Environment](#)

[College of Physicians and Surgeons of Ontario Policies](#)

[College of Physicians and Surgeons Policy: Physician Relationships with Industry Practice](#)

[College of Physicians and Surgeons of Ontario Policy Statement: Professional Responsibilities in Undergraduate Medical Education](#)

[https://www.cpso.on.ca/Physicians/Policies-Guidance/Policies/Professional-Responsibilities-in-Postgraduate-Medical Education](https://www.cpso.on.ca/Physicians/Policies-Guidance/Policies/Professional-Responsibilities-in-Postgraduate-Medical-Education)

The Guidelines for the Ethical Conduct of Research and Procedures

[https://ethics.gc.ca/eng/policy-politique\\_tcps2-eptc2\\_2018.html](https://ethics.gc.ca/eng/policy-politique_tcps2-eptc2_2018.html)

## References

- Buchanan, A. O., Stallworth, J., Christy, C., Garfunkel, L. C., & Hanson, J. L. (2012). Professionalism in practice: Strategies for assessment, Remediation, and promotion. *Pediatrics*, 129(3), 407–409. <https://doi.org/10.1542/peds.2011-3716>
- Hickson, G. B., Pichert, J. W., Webb, L. E., & Gabbe, S. G. (2007). A complementary approach to promoting professionalism: Identifying, measuring, and addressing unprofessional behaviors. *Academic Medicine*, 82(11), 1040–1048. <https://doi.org/10.1097/acm.0b013e31815761ee>
- Office of professional affairs. Faculty of Medicine. (2020). Retrieved September 1, 2020, from <https://med.uottawa.ca/professional-affairs/policies/professionalism-policy>

## AUTHORITIES AND OFFICERS

The following is a list of authorities and officers for this policy:

- a. Approving Authority: Senate
- b. Responsible Officer: Associate Dean Faculty Affairs
- c. Procedural Authority: Clinical Sciences Division Head
- d. Procedural Officer: Clinical Sciences Division Head

## Review and Revision History

**Review Period:** 5 years or as required

**Date for Next Review:** 2027 01

**Developmental History**

Date	Action
2012-06-07	Original version (Policy for Clinical Faculty and the Discipline Procedures for Clinical Stipendiary Faculty)
n.d.	Full revision – retired previous policy
n.d.	Approved final version by Academic Council. Added details about access to database file in Section 5.0 – Database as per Dr. Geoffrey Hudson

## **Clinical Sciences Division Professionalism and Code of Conduct**

Approval Authority: Senate

Established: 2020-12-17

Amendments: 2022-05-05

Category: Academic

Parent Policy: Clinical Sciences Division Professionalism and Code of Conduct Policy

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### **1.0 PURPOSE**

The purpose of the Clinical Sciences Division (CSD) Professionalism and Code of Conduct Procedures is to provide a transparent process for responding to concerns of lapses or breaches in professional behaviour or code of conduct by Clinical “Faculty Members.” The Procedures are intended to be consistent with the College of Physicians and Surgeons of Ontario and the Canadian Medical Association Code of Ethics for Clinical Faculty and ensure compliance with accreditation requirements.

### **2.0 SCOPE**

These procedures apply to instances where clinical faculty members at NOSM University, irrespective of the geographically distributed site to which they are currently assigned or currently working, engage in behaviour generally recognized as being unprofessional or a code of conduct-related concern.

Allegations related to research misconduct will be dealt with as outlined in the NOSM University Responsible Conduct of Research Policy. If an allegation is a confirmed breach under the Policy, a report of the findings and ruling will be forwarded to the faculty member’s Section Chair, as well as the Clinical Sciences Division Head and the Associate Dean of Faculty Affairs, who will consider this to be a level 3 concern as defined below. In these cases, the Section Chair, in discussion with the Clinical Sciences Division Head and Associate Dean of Faculty Affairs, will make a remediation and/or disciplinary ruling as outlined below.

### **3.0 PRINCIPLES OF APPROACH**

NOSM U adopts what is known as the "Vanderbilt Model" (see Appendix A in the Professionalism and Code of Conduct Policy), which is premised on the notion that the vast

majority of faculty members will have no issues with professionalism. Still, in those instances where a professionalism concern arises and where the circumstances permit, the Section Chairs will use a staged approach to correct the behaviour and prevent reoccurrence. The stages or levels, as referred to in the Vanderbilt Model, are described as follows:

- **Level 1:** Interventions are warranted for the first-time lapse and a single incident of low severity. The perceived unprofessional or disruptive behaviour is brought to the attention of the individual concerned. It is clarified why the observed is considered unprofessional or disruptive and the methods of redress to stop the behaviour.
- **Level 2:** Interventions are warranted for behaviour that is of moderate severity, where stage one intervention has been ineffective, i.e., repetitive, or when a pattern of behaviour has emerged. The methods of redress established at Level 1 are formalized (if applicable). There may be more monitoring of behaviours or teaching evaluations, a timeframe in which change or progress must be demonstrable will be identified, and notification to the faculty member will indicate that another incident could result in additional consequences.
- **Level 3, Egregious, or Mandated:** Interventions are required for behaviour that has continued despite previous interventions or where there is a significant concern about the quality of teaching, leadership, or conducting of scholarly activity. At this level, discipline or sanctions are considered where appropriate.

Crisis intervention is required where there is the sudden appearance of behaviour that is too egregious for a staged approach or where previous responses have failed to correct or stop the unprofessional behaviour. The Section Chair or Division Head may escalate this if deemed appropriate.

This Model does not derogate the responsibility to report to the CPSO when incidents, as stipulated under the Regulated Health Professions Act, 1991, are reported.

Interim measures may be made at any level during the handling of a professionalism concern and where appropriate to the circumstances so that the professionalism concern ceases or the reoccurrence is reduced to stabilize the situation, pending the outcome of the disposition by the governing authorities.

### 3.1 PRINCIPLES AROUND PROCESS

At each level of intervention (except those referred to the Clinical Sciences Division by the Research Investigation Panel), the following steps are recommended:

- Confirm the lapse.
- Understand the context.
- Communicate and discuss in a mutually respectful manner.
- Encourage self-reflection.
- Agree on a remediation plan.
- Document the interventions.
- Construct a follow-up plan.
- Respect the confidentiality of the personal information of those involved. Sharing personal information related to a professionalism/code of conduct concern should be limited to those within the Office of Faculty Affairs who need to know to be able to carry out their duties and to those within the hospital or clinic setting. This can be delegated to the Chief of Staff or equivalent responsible for addressing the professionalism concern.

The Associate Dean of Faculty Affairs or designate should decide if the matter should additionally be referred to the appropriate Program Associate Dean, Provost and Vice President Academic, or President as per the appropriate procedures related to learners, staff or faculty.

### 3.2 WHAT IS NOT CONSIDERED A LAPSE OR BREACH OF PROFESSIONALISM?

Examples that are not considered lapses or breaches of professionalism may include:

- Providing constructive, objective, respectful feedback to learners or faculty members in general or in the context of performance management.
- Providing an opinion to express a concern regarding patient safety or quality of care.
- Advocating for individuals, communities, and populations, including challenging the status quo when such advocacy is undertaken with respect, within the parameters of this policy, within principles of fairness, and without any conflict of interest.
- Professionalism as a condition for academic appointments.

### 3.3 POSSIBLE CONSEQUENCES/REMEDIAL ACTIONS

Consequences resulting from a professionalism concern of a faculty member will depend on circumstances, the seriousness of the behaviour, and any mitigating factors. Disciplinary action, if indicated, shall be fair, reasonable, commensurate with the seriousness of the

violations, and based on the principle of progressive discipline. Disciplinary action shall be initiated only after completing a fair and complete preliminary investigation and shall not be based on anonymous information.

The following list provides examples of consequences/remedial measures and is not meant to be exhaustive, nor does it necessarily represent a progression of sanctions or measures:

- A letter of apology.
- Attendance at educational sessions on professionalism. \*
- Attendance at coaching sessions to improve communication or conflict resolution skills. \*
- Prohibited or restricted access to the learning environment.
- Other measures such as remediation, probation, and recording on the performance record.
- Failure to attain promotion.
- Termination of the academic appointment.

*\*Any associated costs are the faculty member's responsibility.*

### **3.4 EGREGIOUS OR MANDATED REPORTING OF GROSS MISCONDUCT**

An incident that appears to constitute gross misconduct is defined as behaviour with direct harmful consequences or an egregious breach of well-recognized standards of professionalism.

Examples include but are not limited to:

- Workplace violence.
- Sexual harassment, harassment and bullying or assault.
- Theft.
- Plagiarism.
- Research misconduct, including but not limited to plagiarism, falsification and misuse of research funds (allegations related to these situations are subject to the NOSM University Responsible Conduct of Research Policy).
- Inappropriately accessing or using a co-worker, learner, research participant or patient's personal information.
- Unwelcome and inappropriate verbal, written, graphic or physical conduct, or coercive behaviour, where the behaviour is known, or reasonably ought to be known, to be unwelcome.



- Unauthorized release of confidential information, including identifiable personal data of a research participant; a patient's health information or other breaches of personal information, privacy policy and law Freedom of Information and Protection of Privacy Act (FOIP), the Local Authority Freedom of Information and Protection of Privacy Act (FIPPA), Health Information Privacy Act (HIPA).

If the incident is considered egregious or gross misconduct and has the potential to significantly affect the safety or well-being of others, particularly patients or learners, the Associate Dean of Faculty Affairs or designate will be notified. It may interrupt the participation of teaching, or clinical activities of the faculty member, pending investigation of the allegations. Referral to the appropriate regulatory body may also be required. In such cases, the Professionalism Panel would proceed as quickly as possible. As soon as a safe return to teaching or clinical activities is established, the panel would communicate a plan for the faculty member to resume supervision of learners (if applicable).

In the aforementioned circumstances, the faculty member will be offered a meeting with the Professionalism Panel, which will consist of three NOSM U faculty members at the level of assistant professor or higher who are in good standing with their regulatory body and within NOSM U. The fourth member and Chair of the Panel will be chosen by the Associate Dean of Faculty Affairs. The names of the panel members will be shared with the respondent, and the respondent will be given forty-eight (48) hours to declare any conflicts of interest with any of the panel members.

The Panel is to receive the evidence, determine the validity of the allegation, and, if warranted, determine, implement, and monitor appropriate remedial action. The Panel will meet within twenty (20) working days from receipt of the professionalism notification.

The faculty member will be able to present evidence that relates directly to the alleged misconduct. The faculty member may bring an academic colleague to the Panel meeting. If the faculty member chooses to bring an academic colleague or another representative to the meeting, they must disclose the name of the colleague/representative to the Chair of the Professionalism Panel no later than seven (7) days before the meeting. It is not appropriate for the colleague or/representative to act as the faculty member's spokesperson.

The Panel will consider the nature of the information presented and will submit a written report to the faculty member detailing the reasons for the finding and the disciplinary actions to be imposed (if applicable) within twenty (20) business days of the meeting.

Disciplinary actions include, but are not limited to:

- A letter of warning or reprimand.
- Attendance at educational sessions on professionalism. \*
- Attendance at coaching sessions to improve communication or conflict resolution skills. \*
- Prohibited or restricted access to the learning environment.
- Other measures such as remediation, probation, and recording on the performance record.
- Failure to attain promotion.
- Suspension of an academic appointment for a defined period.
- Termination of the academic appointment with cause.

*\*Any associated costs are the faculty member's responsibility.*

### 3.5 PROCEDURES FOR DISCIPLINE

The Clinical Sciences Division Head is responsible for overseeing the process to address professionalism and code of conduct concerns involving clinical faculty.

- **Level 1:** If a faculty member is engaging, in a manner that does not meet NOSM U's core values or NOSM U's professionalism standards and policies, the professionalism concern is reported to the Section Chair. The Section Chair will:
  - Bring the professionalism concern to the Faculty Member's attention.
  - Allow the faculty member to provide additional information or clarification.
  - Explain to the faculty member why the observed behaviour is considered unprofessional or disruptive, and
  - Establish and convey to the faculty member the response format and methods of redress to stop the behaviour.
  
- **Level 2:** If the faculty member continues to engage in a manner that does not meet NOSM U's core values, or the faculty's professionalism standard and policies, after a

Level 1 type of intervention, the Section Chair will inform the Clinical Sciences Division Head in writing of the professionalism concern, the steps already taken to bring the professionalism concern to the attention of the faculty member, the method of redress, and any other relevant circumstances.

The Clinical Sciences Division Head will share information related to the professionalism concern with the medical school, hospital, research institute or clinic based on the following criteria:

- Potential or actual harm to the learner(s) or the learning environment.
- Potential or actual threat to NOSM U's accreditation.
- Potential or actual violations of NOSM U's policies or procedures.
- Potential or actual impact on promotion requirements at NOSM U.
- Potential or actual impact on any show-casing activities at NOSM U or at the respective hospital(s).
- Potential or actual reputational risk to NOSM U.

The Clinical Sciences Division Head or designate will communicate with the faculty member and seek clarification or additional information if required. It will be decided whether the circumstances permit another opportunity for the faculty member to correct the behaviour with additional monitoring, timeframes within which to change or progress, or whether the circumstances are such that the matter is referred to Level 3. Informal notice will be provided to the Associate Dean of Faculty Affairs and the Medical School President.

- **Level 3, Egregious, or Mandated:** If other levels of intervention have not addressed the professionalism or code of conduct concern, the Clinical Sciences Division Head or designate will review the case based on a summary of the professionalism concern and the steps already taken to the attention of the faculty Member, along with the method of redress, and any other relevant circumstances or documentation.

The Clinical Sciences Division Head or designate will notify the Associate Dean of Faculty Affairs and meet to review the case and will determine whether the professionalism concern raises matters that cannot be solely addressed within the appointment and jurisdiction of NOSM U or has an impact on safeguarding the quality of care provided within the hospital or clinical

setting. In such case, the Associate Dean or designate will contact in writing the Chief of Staff of the hospital or clinical setting with authority over the faculty member's permission to practice medicine or conduct medical research.

In the case of Level 3 incidents or incidents of gross misconduct (except for those referred to the Clinical Sciences Division per the Responsible Conduct of Research Policy), the faculty member will meet with a Professionalism Panel, which will consist of three NOSM U faculty members at the level of assistant professor or higher who are in good standing with their regulatory body and within NOSM U. The fourth member and Chair of the Panel will be chosen by the Associate Dean of Faculty Affairs. The names of the panel members will be shared with the respondent, and the respondent will be given forty-eight (48) hours to declare any conflicts of interest with any of the panel members.

The Panel is to receive the evidence, determine the validity of the allegation and, if warranted, determine, implement and monitor appropriate remedial action. The Panel will also determine whether there should be further repercussions. Where possible, the Panel will meet within twenty (20) working days from receipt of the professionalism notification.

The faculty member should present evidence that relates directly to the alleged misconduct. The Faculty Member may bring an academic colleague to the meeting. If the faculty member chooses to bring an academic colleague or another representative to the meeting, they must disclose the name of the colleague/representative to the Chair of the Professionalism Panel no later than seven (7) days before the meeting. It is not appropriate for the colleague or/representative to act as the faculty member's spokesperson.

The Panel will consider the nature of the information presented and will submit a written report to the faculty member detailing the reasons for the finding and the penalty to be imposed (if applicable) within ten (10) business days of the meeting.

Disciplinary actions include but are not limited to the following:

- A letter of warning or reprimand.
- Suspension from the faculty of NOSM U for a defined period.
- Dismissal from the faculty of NOSM U with cause.

#### **4.0 APPEALS**

The faculty member shall have the right to appeal the decision of the Professionalism Panel related to Level 3 investigations to the Medical School President (this excludes referrals per the Responsible Conduct of Research Policy as those are subject to the appeals process in said Policy).

#### **4.1 GROUNDS FOR AN APPEAL**

An appeal will be considered only where a faculty member can establish:

1. There is evidence of a factual error or procedural irregularity in the previous level of decision-making; or
2. That the previous Panel did not adhere to the principles of natural justice.

An appeal must be filed in writing to the President within ten working days of receipt of the Professionalism Panel's decision and notice.

The President or designate may establish an appeal committee within twenty working days of the receipt of the written intention to appeal by the faculty member. The faculty member (appellant), committee and Associate Dean of Faculty Affairs and all other related individuals shall be notified in writing of the process, location, and date/time of the appeal hearing.

The decision of the appeal committee is considered final and may not be further appealed.

#### **5.0 RELATED DOCUMENTS**

Clinical Sciences Division Professionalism and Code of Conduct Policy

Professional Attributes Guidelines

[NOSM Human Rights, Anti-Discrimination and Harassment Policy and Procedures](#)

NOSM University Responsible Conduct of Research Policy

References:

Buchanan, A. O., Stallworth, J., Christy, C., Garfunkel, L. C., & Hanson, J. L. (2012). Professionalism in practice: Strategies for assessment, Remediation, and promotion. *Pediatrics*, 129(3), 407–409. <https://doi.org/10.1542/peds.2011-3716>

Hickson, G. B., Pichert, J. W., Webb, L. E., & Gabbe, S. G. (2007). A complementary approach to promoting professionalism: Identifying, measuring, and addressing unprofessional behaviors. *Academic Medicine*, 82(11), 1040–1048. <https://doi.org/10.1097/acm.0b013e31815761ee>

*Office of professional affairs*. Faculty of Medicine. (2020). Retrieved September 1, 2020, from <https://med.uottawa.ca/professional-affairs/policies/professionalism-policy>

## 6.0 GETTING HELP

Queries regarding interpretations of this document should be directed to:

Associate Dean of Faculty Affairs  
Faculty Affairs, NOSM University  
6th Floor ATAC Building  
Thunder Bay, ON  
P7B 5E1  
Email: [associatedeanfa@nosm.ca](mailto:associatedeanfa@nosm.ca)

## AUTHORITIES AND OFFICERS

The following is a list of authorities and officers for this procedure:

- a. Approving Authority: Senate
- b. Responsible Officer: Associate Dean Faculty Affairs
- c. Procedural Authority: Clinical Sciences Division Head
- d. Procedural Officer: Clinical Sciences Division Head

## Review and Revision History

**Review Period:** 5 years or as required.

**Date for Next Review:** 2023/12/17

**Development History – this section will be deleted when the policy is finalized and ready for review/approval**

Date	Action
2022/05/09	Moved to NOSM U Template

## Professional Attributes

Approval Authority: Senate

Established: 2020/12/17

Amendments: 2022/04/26

Category: Academic

Parent Policy: CSD Professionalism and Code of Conduct Policy

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### 1.0 Purpose

To further define and explain the core values that Clinical Faculty members must adhere to. The attributes and behaviours listed are not meant to be exhaustive and may overlap with NOSM U's core values.

### 2.0 Scope

This guideline applies to all Clinical Faculty members and their interactions, whether at NOSM U, in clinical, research or other instructional settings, in person, in writing or by electronic means (for example, email, social media, and the internet).

### 3.0 Definitions

For the purposes of the Clinical Sciences Division Professionalism and Code of Conduct Policy and supporting Procedures, faculty and staff are expected to adhere to, demonstrate and promote the Professional Attributes that consist of but are not limited to the following:

#### 3.1 Professional Attributes

##### Respect:

- show consideration for others and their rights and choices,
- avoid behaviour that is deliberately harmful, degrading, insulting, or unjustly discredits the reputation of others,
- recognize human diversity, sexual orientation, different viewpoints, beliefs, religion, gender, lifestyle, ethnic origin, and physical ability,
- show respect for other people's privacy, physical space and belongings,
- retain professional boundaries,
- allow the expression of disagreement without fear of punishment, reprisals or retribution,



- work effectively and respectfully with others in a collegial, safe and supportive atmosphere free from discrimination and harassment and conducive to learning and dispute resolution rather than confrontation,
- be present and punctual for activities of the learning experience and patient care,
- adhere to faculty regulations, policies/procedures, respect deadlines, complete learner assessments in a timely fashion and honouring requests for information as it pertains to the efficient administration of student files,
- assume responsibility to notify others in advance whenever possible when unavoidable absence or tardiness occurs,
- treat patients and their families with respect and dignity both in their presence and in discussions with other members of the allied healthcare team,
- place the rights, needs and interests of the patient foremost while respecting the professional obligations to society to participate in matters related to health care planning and resource allocation,
- respect patient autonomy at all times by discussing treatment options with the patient or surrogate,
- respect academic freedom, including not infringing on colleagues' academic freedom.

**Collaboration:**

- view oneself as a member of a team,
- contribute to a common goal,
- offer one's expertise,
- share in the responsibility for outcomes,
- acknowledge the contribution of other members of the group,
- identify common interests, define common problems and seek solutions,
- be reasonable and fair in expectations of others and attempt to resolve conflicts in an appropriate manner,
- provide fair, respectful, objective, timely, frequent and constructive evaluations of others,
- demonstrate a willingness and ability to identify and discuss one's own problematic behaviours and those involving colleagues.

**Excellence:**

- display commitment to continuously improve one's knowledge and skills through life-long learning (for example, participating in continuing medical education activities as approved by the department),
- recognize and accept limitations in one's knowledge and skills,
- be aware of one's responsibilities,
- demonstrate initiative and a commitment to ensure the job gets done well,

- handle challenges, conflicts, and ambiguities inherent in professional health care at appropriate training levels,
- pursue fruitful avenues of inquiry and engage in a free and full discussion of ideas.

**Compassion and Empathy:**

- demonstrate deep awareness of the suffering of another and the desire to relieve it,
- recognize or understand another's state of mind or emotion,
- experience the outlook or emotions of another being by “putting one’s self in another’s shoes.”

**Integrity and Honesty:**

- demonstrate consistent regard for the highest standards of behaviour and the refusal to violate one’s professional codes,
- be fair, be truthful, keep one’s word, meet commitments, and be straightforward,
- avoid misrepresentation or falsification,
- avoid real, potential or perceived conflicts of interest and disclose conflicts of interest as they arise, whether such a conflict of interest is financial or any other circumstance that might influence an individual’s judgment or commitment,
- conduct research responsibly,
- credit ideas developed and work done by others,
- record accurate history and physical findings, test results, and other information pertinent to the care of the patient,
- communicate with honesty and compassion,
- recognize one’s own limitations in terms of the level of training, experience, skills, and competence.

**Equity:**

- recognize a fair opportunity to attain full potential in health, as well as in work and career,
- reject discrimination based on age, physical characteristics, disease or disability, creed, ethnic origin, gender, nationality, political affiliation, race, sexual orientation, or social standing,
- advocate for those who cannot advocate for themselves.

**Wellness:**

- adopt a multidimensional state of being, describing the existence of positive health in an individual as exemplified by quality of life and a sense of well-being as per the NOSM U definition of wellness,

- the goal is for NOSM U learners, faculty, and staff to work and learn in a culture of respect, kindness, professional collegiality and civility across NOSM U's entire campus of Northern Ontario.

**Confidentiality:**

- protect the confidentiality of personal information of others,
- limit discussions of patient health or learner issues to appropriate settings for clinical or educational purposes and avoid disclosure of details in conversation, other settings and in social media or on the internet,
- respect the patient and their family and observe the need for consent and confidentiality in all dealings with patients and their families,
- respect the confidentiality of information related to research participants.

**Responsibility and Accountability:**

- ensure that patient and learner well-being is one's main focus and primary obligation,
- develop an awareness and respect for the ethical and medical-legal standards in accordance with the guidelines of the relevant professional bodies,
- demonstrate an ability to work independently while accepting direction from those charged with supervision,
- acknowledge and recognize one's strengths and limitations and will seek assistance as necessary,
- demonstrate accessibility, attendance, punctuality and trustworthiness,
- present and conduct oneself in a dignified, respectful and professional manner while functioning in an official capacity,
- promote the dignity of the medical profession in all settings.

**Dedication and Self-improvement:**

- strive continuously to develop knowledge, skills and competence,
- promote and uphold the educational standards of NOSM U as well as the academic principles,
- assess one's own educational progress and determine one's own learning needs,
- pursue self-education through the use of appropriate resources and prepare oneself for all learning sessions.

**4.0 Related Documents**

Clinical Sciences Division Professionalism and Code of Conduct Policy

Clinical Sciences Division Professionalism and Code of Conduct Procedures

NOSM [Human Rights, Anti-Discrimination and Harassment Policy and Procedures](#)

## References

- Buchanan, A. O., Stallworth, J., Christy, C., Garfunkel, L. C., & Hanson, J. L. (2012). Professionalism in practice: Strategies for assessment, Remediation, and promotion. *Pediatrics*, 129(3), 407–409. <https://doi.org/10.1542/peds.2011-3716>
- Hickson, G. B., Pichert, J. W., Webb, L. E., & Gabbe, S. G. (2007). A complementary approach to promoting professionalism: Identifying, measuring, and addressing unprofessional behaviors. *Academic Medicine*, 82(11), 1040–1048. <https://doi.org/10.1097/acm.0b013e31815761ee>
- Office of professional affairs. Faculty of Medicine. (2020). Retrieved September 1, 2020, from <https://med.uottawa.ca/professional-affairs/policies/professionalism-policy>

## 5.0 Getting Help

*Queries regarding interpretations of this document should be directed to:*

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## AUTHORITIES AND OFFICERS

The following is a list of authorities and officers for this guide:

- a. Approving Authority: Senate
- b. Responsible Officer: Associate Dean Faculty Affairs
- c. Procedural Authority: Clinical Sciences Division Head
- d. Procedural Officer: Clinical Sciences Division Head

## Review and Revision History

**Review Period:** 5 years or as required

**Date for Next Review:** 2023/12/17

**Development History – this section will be deleted when the policy is finalized and ready for review/approval**

Date	Action
May 9, 2022	Moved to NOSM U template