

Clinical Sciences Division Professionalism and Code of Conduct

Approval Authority: Academic Council

Established On: 2012-06-07

Amendments: list all amendments YYYY-MM, etc

Category: **A**

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.
- 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.
- 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 these occur at the NOSM University, in clinical, research or other instructional settings, and whether these happen in person, in writing or by electronic means (for example, email, social media, internet).

3.0 DEFINITIONS

For the purposes of this policy:

Faculty member means all NOSM U Clinical Sciences Faculty, including clinicians with academic appointments as well as academic 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 is engaging in behaviour that does not meet NOSM U's core values or the professionalism standard as described in this Policy.

4.0 POLICY TERMS

4.1 Faculty Commitment

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 to identify both positive and negative influences on the maintenance of professional standards, and to develop appropriate strategies to enhance the learning environment.

NOSM U recognizes the importance of professionalism in medicine and that it is both taught and modelled. NOSM U reaffirms its commitment to recognize and promote 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.

4.2 Database

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

The database will collect the following information:

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

Examples of nature of professionalism concerns are:

- harassment (non-sexual),
- harassment (sexual),
- discrimination,
- 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 proceeding, or
- satisfactory resolution (as per the person who brought the professionalism concern forward).

The information in the database will be used for the purposes of tracking the number 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 contained in the database is confidential and treated in accordance with 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 a concern will be limited to only those within the Northern Ontario School of Medicine with a 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. Such examination shall be in the presence of a person designated by the Division Head. Faculty members have the right to have all of their database files corrected in the event of error. In the event of 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 through the Division Head and must be accompanied with reasons why the material is false or unsubstantiated.

*Note, level definitions can be found in Appendix A.

4.3 Core Values and Professionalism Standards

NOSM U expects Faculty Members to demonstrate throughout their academic appointments or employment, the values, attributes, and behaviours that are essential for physicians, researchers, or professors.

More specifically, the most responsible physician/supervisor is responsible for providing a model of appropriate and compassionate patient care. In general, regulatory bodies such as the CPSO make findings of professional misconduct and some finding 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 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 court 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 may be relevant to a violation of CPSO guidelines for supervision of trainees.

All Faculty Members are expected to adhere to, demonstrate, and promote NOSM U's core values, which consist of respect, collaboration, innovation, inclusiveness and social accountability.

The NOSM U professionalism standard and code of conduct is set by the fundamental core values set out in this Policy and by the various attributes and behaviours described below.

Below are attributes and behaviours to further define and explain NOSM U's core values that Clinical Faculty Members are expected to adhere to. 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 for a more of a 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

4.3.1 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 of discriminatory jokes, slurs, posters, cartoons, etc.; drawing attention 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 other means - include 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 taking action against someone who reports disruptive behaviour or acts as witness regarding disruptive behaviour; making threats or taking action 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, 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, or 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 by reason of a professionalism concern.

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

5.0 ROLES AND RESPONSIBILITIES

Identify key authorities, roles, and responsibilities; list individuals / units or committees who are responsible for aspects of the policy and their major responsibilities.

This Policy shall be reviewed and amended by the appropriate governing body of the Faculty as required. Faculty Members are expected to consult this Policy and to familiarize themselves with any changes; this Policy will be made available on the NOSM U website.

6.0 INTERPRETATION

Questions of interpretation or application of this policy or its procedures will be referred to the [Title] / [office] [use general mailbox or numbers, no specific names to be entered].

7.0 RELATED DOCUMENTS

Related policies; (ii) any applicable legal or regulatory information (from the Policy Statement section); or (iii) any FAQ documents, forms, or other information related to the policy.

University Documents and Information

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Legislation and Information

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From previous policy:

- Appendix A – The Vanderbilt Model
- Appendix B - The Professional Attributes Guidelines
- Procedures to Clinical Faculty Professionalism and Code of Conduct
- NOSM [Mission Statement](#)
- NOSM [Faculty Handbook](#)
- NOSM [Human Rights, Anti-Discrimination and Harassment Policy and Procedures](#)
- [NOSM CEPD Protocol on Relationships with Industry](#)
- NOSM [Investigative Research Misconduct 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 Surgeon 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

References:

Some of the concepts and ideas used in this policy have been derived from the following resources:

- Buchanan AO, Stallworth J, Christy C, Garfunkel LC, Hanson JL. *Professionalism in practice: strategies for assessment, remediation, and promotion*. Pediatrics. 2012 Mar; 129(3):407-9. PubMed PMID: 22371458. Epub 2012/03/01. eng.
- Hickson GB, Pichert JW, Webb LE, Gabbe SG. *A complementary approach to promoting professionalism: identifying, measuring, and addressing unprofessional behaviors*. Acad Med. 2007 Nov; 82(11):1040-8. PubMed PMID: 17971689. Epub 2007/11/01. eng.
- Office of Professional Affairs. 2020. *Policy on Professionalism*. [online] Available at: <<https://med.uottawa.ca/professional-affairs/policies/professionalism-policy>> [Accessed 1 September 2020].

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:

d. Procedural Officer:

Review and Revision History

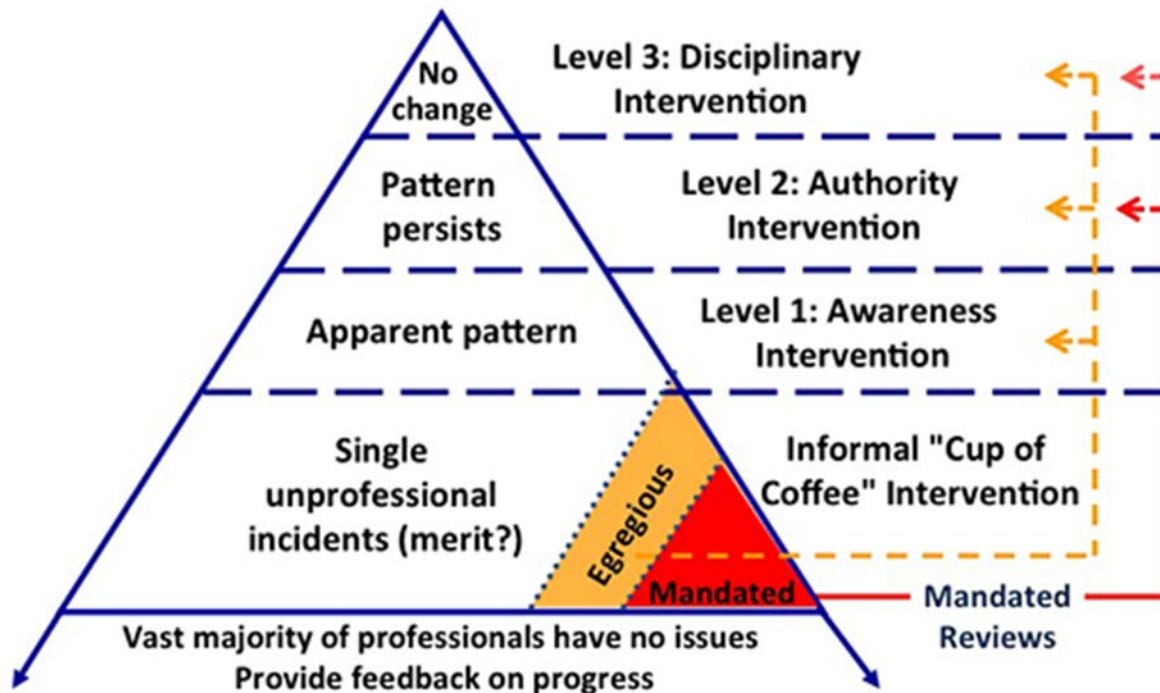
Review Period: 1, 2, 3 4 or 5 years or as required

Date for Next Review: YYYY MM

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

Date	Action
2012-06-07	Original version (Policy for Clinical Faculty and the Discipline Procedures for Clinical Stipendiary Faculty).
2020-10-08	Full revision. Retired previous policy dated 2012-06-07
2020-12-17	Approved final version by Academic Council. Added details about access to database file in Section 5.0 Database as per Dr. Geoffrey Hudson.

Appendix A: The Vanderbilt Model



This is a pyramid representation of an approach to professionalism by Vanderbilt University. The pyramid does not have a line at the bottom, depicting the fact that most healthcare professionals do not have professionalism issues.

At NOSM, the "cup of coffee" depicts informal "chats" between colleagues without necessarily any documentation.

Level 1 depicts a documented confidential discussion on a professionalism issue between the individual and one with supervisory responsibilities. Such documentation is not shared outside of the unit or department¹ as applicable.

Level 2 depicts a documented confidential discussion between the individual and one with supervisory roles such as a higher-level such as Dean, the Vice Dean Academic, the Associate Dean Faculty Affairs, AD PGME and HS, AD UME, and/or other Associate Dean with an

¹ NOSM uses the term Portfolio, Unit or Program not departments

Academic Portfolio as applicable based on the individual reporting lines; Level 3 depicts a formal investigation process as stipulated in the Policy and Procedures.

Level 1 or 2 tends to be more informal in nature and aims to provide formative feedback.

Level 3 is a formal process and may have legal implications

Crisis intervention is required where there is a mandated review of a 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. This may be escalated if deemed appropriate by the Section Chair or Division Head.