CODE OF CONDUCT: FACULTY OF MEDICINE

Preamble:

The Faculty of Medicine of McGill University (hereafter "the Faculty") is committed to providing all of its members a welcoming environment conducive to optimal education, clinical care and research and the maintenance of the highest levels of ethical and professional standards within a collegial environment. In particular, the Faculty is committed to promoting and maintaining the highest standards of behavior in all of its members in order to provide a healthy and safe learning environment and to better serve society. The Faculty values integrity, honesty, fairness and respect for the rights of others and strives to integrate these into its teaching, research, clinical and other activities.

It is recognized that the Faculty's broader community is complex, with a large and diverse population of learners and staff holding appointments with the University and the teaching hospitals and other health care centers. The Faculty`s community also includes the staff in the teaching hospitals, research institutes and other health care centers who have no employment relationship with the University. The patients and clients and their families are also an important part of this complex and diverse community.

Teaching and instruction within the Faculty occurs in many different contexts, some of which may involve students, on the one hand, playing the role of teacher, instructor or mentor and, on the other hand, Faculty or staff in the role of learners. Thus, the standards of conduct that are identified specifically for "teachers" or "learners," apply to individuals who are in that role, regardless of their "official" status within the Faculty or the University.

The purpose of the Faculty's Code of Conduct is to guide and enhance the conduct of all members of the Faculty's community in their interactions with each other and with persons external to the Faculty with whom they come into contact, whether in the classroom or in work related settings (such as clinics, operating theatres, rotations, practica, fieldwork, research laboratories or other venues). This applies to all forms of social media.

As noted below, the Code does not purport to be an exhaustive statement of the manner in which members of the Faculty community must conduct themselves. Nor does the existence of the Code relieve members from the responsibility to use common sense, sound judgment and personal integrity in their interactions with others and to discuss issues of behavior in an open and collegial manner.

Application of the Code:

The Code applies to all members of the Faculty who:

(i) hold University appointments within the Faculty whether or not they also hold appointments in affiliated teaching hospitals or health care centers;
(ii) are students (including graduate students, residents and post-doctoral fellows) registered in any degree or other program offered by the Faculty;
(iii) are students registered in any course or courses offered by the Faculty.

Condition of Membership in the Faculty:

Adherence to the Code is a condition of membership in the Faculty. Where a Faculty member's behavior falls below the standards outlined in the Code, certain initial administrative procedures can be implemented by the Department Chair in collaboration with the Dean/Deans delegate. This can involve faculty development, formal warnings and/or written investigation results with action plans. During this time, teaching privileges, both undergraduate and postgraduate, can be suspended for a period not exceeding 6 months. These measures shall not constitute disciplinary actions and shall be without prejudice to the rights of the parties involved. However, repeated infractions or significant departures may amount to misconduct resulting in disciplinary or other action.

The Code is not a substitute for other policies and codes:

This Code complements other codes, policies and regulations, which regulate the behavior of members of the Faculty of Medicine as:

(i) members of the University Community;
(ii) members of hospitals and health care centers and institutes affiliated with the University; or
(iii) members of the health care professions.

Thus, in addition to complying with this Code, members of the Faculty must also conform to the requirements of other codes and policies, which apply to them, such as:

Anti-Doping Policy

Charter of Students' Rights

Code of Student Conduct and Disciplinary Procedures

Policy Concerning the Rights of Students with Disabilities

Policy for the Accommodation of Religious Holy Days

Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law

Policy on Hazing and Inappropriate Initiation Practices

Policy on Safe Disclosure

Regulation on Conflict of Interest

Regulations on Consulting and Similar Activities by Academic and Librarian Staff

General Standards for All Members:

All members of the Faculty will strive:

(i) to pursue excellence in their acquisition of knowledge, skills, and attitudes in their profession or calling;
(ii) to maintain appropriate behavior and avoid inappropriate behaviors, examples of which are provided in the **Annex** hereto; and
(iii) to uphold the relevant behavioral and ethical standards of the profession or calling to which they belong (or to which they aspire to belong), including:

- Maintaining the highest ethical and professional standards expected of members, actual or aspiring, of their health profession
- Complying with the codes, regulations, and policies of the University, their profession and other relevant regulatory or accrediting bodies
- Behaving with honesty, integrity and fairness towards all with whom they come into contact whatever the context
- Recognizing and working within the limits of their competence and consulting and seeking advice when necessary
- Recognizing the importance of continuous self-assessment and of continuing education
- Ensuring that they have the knowledge and skills required for the delivery of a particular service
- Participating in professional development activities in order to maintain their competence
- Maintaining adequate, proper and accurate records
- Being culturally aware, respectful of the culture and beliefs of others, and recognizing that cultural difference may impact relationships

- Communicating clearly and interacting appropriately with colleagues, other health care professionals, patients/clients and their families and other members of the broader Faculty community
- Being reliable, timely and responsive with respect to assigned responsibilities
- Not exploiting the patient/client or any other relationship for personal benefit, gain, or gratification
- Respecting confidentiality of all patient/client information except where to do so would be unethical or contrary to the law
- Establishing appropriate boundaries in patient/client and other relationships
- Disclosing and avoiding all conflicts of interest
- Refraining from inappropriate behavior including harassment, sexual harassment and discrimination prohibited by law
- Acting in good faith and with reasonable grounds when reporting breaches of the Code

Standards for Teachers:

In addition to the general standards of behavior expected of all members of the Faculty, all teachers in their dealings with learners will strive:

(i) to pursue excellence in their acquisition and dissemination of knowledge, skills, and attitudes in their profession;
(ii) to maintain appropriate behavior and avoid inappropriate behaviors, examples of which are provided in the **Annex** hereto; and
(iii) to uphold relevant behavioral and ethical standards including:

- Committing to excellence as a teacher
- Serving as a positive, ethical and professional role model
- Respecting the educational goals, standards and policies of the Faculty of Medicine and McGill University
- Making fair educational judgments and decisions
- Being open to reasonable and constructive criticism by learners and adapting to reasonable learner needs
- Being well prepared and knowledgeable in the subject matter
- Not misusing or abusing the power differential inherent in the teacher-learner relationship
- Providing fair and valid evaluations and assessments
- Completing the assessment of all learner assignments on time
- Responding to a learner's request for assistance within a reasonable period of time
- Teaching learners the bounds of acceptable conduct expected of members of the Faculty and of their profession

- Participating in professional development activities in order to maintain pedagogic competence
- Not engaging in academic or research misconduct including misrepresentation, lying, plagiarism or fraud

Standards for Learners:

In addition to the general standards of behavior expected of all members of the Faculty, all learners will strive:

(i) to pursue excellence in their acquisition of knowledge, skills, and attitudes in their profession;
(ii) to maintain appropriate behavior and avoid inappropriate behaviors, examples of which are provided in the **Annex** hereto; and
(iii) to uphold relevant behavioral and ethical standards including:

- Not engaging in academic or research misconduct including misrepresentation, lying, plagiarism or fraud
- Refusing to engage in any educational activity which does not respect patient consent guidelines and/or confidentiality
- Respecting the educational goals, standards and policies of the Faculty of Medicine and of McGill University
- Making a conscientious effort to meet and exceed the expectations of the curriculum
- Working as a committed and integral member of a team and not pursuing personal advancement or success to the detriment of the well-being of other team members
- Attending all mandatory orientation, educational and teaching sessions or provide appropriate notification of absence
- Completing all assignments on time or provide appropriate notification for delay
- Being available and responsive with respect to all assigned responsibilities

Safe reporting:

The Faculty is committed to protecting members, and others, who in good faith and with reasonable cause report actions that they believe constitute violations of the Code or other relevant codes, policies and laws.

The Faculty will take all reasonable steps to protect the position, reputation, privacy and confidentiality of the person making a good faith report. These steps must be consistent with the law and the rights of the member who is allegedly in violation of the Code, other relevant codes, policies and laws.

Reprisals:

No member who in good faith and with reasonable cause reports actions believed to constitute violations of the Code or other relevant Codes, policies and laws shall be subject to reprisals or retaliation. Members and others who make such reports shall be afforded similar protections to that accorded to reporters by the University's Policy on Safe Disclosure.

Urgent measures:

If there is reasonable cause to believe that a member poses an immediate threat to the physical or psychological safety of another person, the administrative officer having authority in the matter may implement temporary measures, as deemed appropriate, during the period of the investigation and, if needed, during the referral to the Dean or the Dean's delegate for consideration of subsequent discipline. These measures include the removal of teaching privileges, either with residents or students or both. The institution of such measures shall not constitute disciplinary action and shall be without prejudice to the rights of the parties.

Behaviors that might provoke these measures include:

Critical Incidents: sexual assault, physical assault and verbal abuse threatening safety.
Major incidents: repeated belittlement and humiliation and/or repeated inappropriate comments regarding race, faith, gender or sexual orientation.

Disciplinary measures:

A violation of this Code may lead to the imposition of disciplinary measures, which are in accord with such internal regulations, policies code or collective agreement to which the member is subject, in addition to any disciplinary measures that may be imposed by the professional body to which the member belongs.

Acknowledgements:

We would like to acknowledge the use made of the following documents in preparing this Code:

Good Medical Practice: A Code of Conduct for Doctors in Australia (Australian Medical Council 2009)

Model Medical Staff Code of Conduct (2008 American Medical Association)

Standards of Professional Practice Behavior for all Health Professional Students (Approved by the University of Toronto's Governing Council, June 17 2008)

Standards of Professional Practice Behavior for Medical Clinical Faculty (Faculty of Medicine, University of Toronto, 2009)

ANNEX:

INAPPROPRIATE & APPROPRIATE BEHAVIOR

It is not feasible to provide an exhaustive list of behaviors that may be labeled "inappropriate" or "appropriate" for members of the Faculty. What follows are illustrations of such behavior. It is hoped that the exercise of common sense, good judgment, reflection and the use of analogy will lead members of the Faculty to recognize other inappropriate behaviors. If in doubt, members should seek guidance from their colleagues.

Inappropriate behaviors:

Examples of inappropriate behavior include, but are not limited to, the following:

- Belittling or berating statements
- Name calling
- Use of profanity or disrespectful language
- Disrespectful or personal comments written in the medical or any other record Intentionally condescending language
- Degrading or demeaning comments regarding patients and their families, hospital personnel, other health professionals, other health professions and discipline specialties and/or the hospital
- Physically threatening language
- Physical contact with another individual that is threatening, intimidating or disrespectful in the circumstances
- Throwing instruments, charts or other things
- Threats of violence or retribution
- Sexual harassment
- Committing sexual impropriety with a patient/client or learner
- Other forms of harassment including, but not limited to, persistent intimidating behavior and repeated threats of litigation
- Committing any act that could reasonably be construed as mental or physical abuse
- Deliberate lack of cooperation without good cause
- Blatant failure to respond to patient care needs or staff requests
- Deliberate refusal to return phone calls, pages, or other messages concerning patient care or safety
- Being unavailable while on call or on duty
- Misrepresenting or misleading anyone as to his or her qualifications or role

- Providing treatment without appropriate supervision or authorization
- Misusing or misrepresenting an institutional or professional affiliation
- Engaging in plagiarism or otherwise misappropriating another's intellectual property
- Soliciting personal remuneration or reward of any kind from a patient or family beyond that which one is legally entitled to
- Stealing or misappropriating or misusing drugs, equipment, or other property
- Unlawfully breaching confidentiality, including but not limited to accessing electronic records of patients/clients for whom he/she is not on the care team
- Being under the influence of alcohol or recreational drugs while participating in patient/client care, at work, or on call
- Failing to respect patients'/clients' rights, privacy or dignity
- Falsifying records whatever the reason for doing so
- Behaving in a way that is in violation of relevant and applicable Canadian or provincial law
- Behaving in a way that is unbecoming of a practicing professional in his or her respective health profession. This can include attention to personal appearance, conduct, composure, language and interpersonal behaviors.

Appropriate Behavior:

The following are examples of behaviors that are "appropriate." Again, it is not feasible to provide an exhaustive list of acceptable behaviors – and it must be kept in mind that the line between behavior that is, or is not, appropriate is not always easy to draw.

- Criticism communicated in a reasonable manner and offered in good faith with the aim of improving teaching, research or patient care and safety
- Expressions of concern about a patient's care and safety
- Encouraging clear communication
- Expressions of dissatisfaction with policies through appropriate channels or other means of communication
- Use of cooperative approach to problem resolution
- Constructive criticism conveyed in a respectful and professional manner, without blame or shame for adverse outcomes
- Professional comments to any professional, managerial, supervisory or administrative staff, or a member of a governing board about the performance of others.