I. PURPOSE AND SCOPE

1. PURPOSE

In accordance with the Faculty of Medicine values (Vision-Mission-Values), this Code of Conduct (the “Code”) intends to inform, guide and enhance the conduct of all members of the Faculty of Medicine 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 (e.g. clinics, operating theatres, rotations, clinical practica, fieldwork, research laboratories, conferences or other venues). The policy applies to all forms of verbal and written communication, and includes emails, phone calls, and social media.

Another purpose of the Code is to provide all members of the Faculty of Medicine with a framework that states and brings awareness to other policies that are applicable to them. As such, the Code is a reference tool to help all members of the Faculty of Medicine navigate their rights and responsibilities, as well as know where to take their concerns relating to those rights and responsibilities.

The Code does not, itself, contain procedures of enforcement. Alleged breaches of the Code and policies referred to therein will be investigated and adjudicated in compliance with the relevant policies that govern them.

2. SCOPE

The Code applies to all members of the Faculty of Medicine who:

(i) hold University appointments (includes nil salary) through the Faculty of Medicine at McGill University, whether or not they also hold appointments in affiliated teaching hospitals or health care centres (academic staff)

(ii) are teachers or supervisors of students within a course or program of the Faculty of Medicine, whether that teaching/supervision is occurring in a different organization or setting from the university and/or its affiliated teaching hospitals or not (generally academic staff, but may also include teachers contractually engaged to teach in specific courses, who may not be appointed as academic faculty within the Faculty of Medicine at McGill)
are students, registered in any degree, program, postdoctoral fellowship or course(s) offered by the University within the Faculty of Medicine, whether the instruction is offered on or off-campus at an affiliated teaching site, or whether they are attending the University on a temporary basis as part of an elective or other program. This code of conduct also applies to applicants to health professions programs.

(iv) are administrative and/or support staff employed by the Faculty whether that function is occurring in a different organization or setting from the university and/or its affiliated teaching hospitals or not (Non-Academic Staff)

For the purposes of the applicability of this Code, the “University context” is defined as in the Code of Student Conduct and Disciplinary Procedures Code of Student Conduct and Disciplinary Procedures. The word “Student” shall include:

(1) any person registered in the University for a course, courses or research, whether or not a candidate for degree, diploma, or certificate;
(2) persons once registered in the University under (i) above who are on leave or under suspension from the University;
(3) persons registered during any preceding term and who have not since that time fulfilled all the requirements for the degree, diploma or certificate for which they were registered;
(4) postdoctoral fellows, who are not employees of the University

II. POLICY STATEMENT

1. Statement of Values

The Faculty of Medicine has defined its mission, vision and values, which can be found at Vision-Mission-Values. With respect to this code of conduct, 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 (detailed in Appendix 1) 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.

2. Expectations of Professional Standards

2.1 General

Professional conduct is the set of attitudes, behaviours and characteristics deemed desirable in all members of the Faculty of Medicine, which define the Faculty of Medicine and its relationship to its members and to society. Expectations of professional standards serve to guide professional conduct.
2.2 Standards expected of all members of the Faculty of Medicine

a) Students, teachers, academic and non-academic staff are expected to be familiar with and comply with the policies of the University relating to conduct. This includes, but is not limited to:

- Code of Student Conduct and Disciplinary Procedures
- Policy on Harassment, Sexual Harassment and Discrimination
- Regulation on Conflict of Interest
- Regulation on the Conduct of Research
- See item 3. Related Standards, Policies and regulations

b) When students, teachers, academic and non-academic staff carry out work or training activities in clinical settings, they are also expected to abide by relevant policies and procedures governing conduct within those clinical settings.

c) Candidates for admission to any health professional program of the Faculty of Medicine are expected to be familiar and comply with this Code in the context of their application for admission and admission process.

2.3 Standards expected of students, teachers and academic staff

The Faculty of Medicine has identified the standards of professional conduct set out in Appendix 1 of this Code as minimum requirements for the conduct of students, teachers and academic staff in professional programs. All students, teachers and academic staff are expected to abide by the standards of professional conduct at all times and in particular while in any setting where academic, research, clinical activities (including interactions with patients) or extra-curricular sports and social activities are carried out under the auspices of the University or where the student, teacher or member of the academic staff is representing the University or its interests, including use of social media (Social Media Guidelines - McGill).

Students, teachers and academic staff are expected to be familiar with and comply with the policies of the Faculty of Medicine that apply to them.

2.4 Standards expected of students, teachers and academic staff as members of the health professions

Membership in the health professions demands integrity, competence and adherence to ethical standards. Students, teachers and academic staff in professional programs are expected to meet standards of professional behaviour set out in the codes of ethics and conduct of their respective or future professional organizations and regulatory bodies.

3. Students’ professional conduct and academic evaluation

In the Faculty of Medicine, students’ professional conduct is evaluated as a component of the academic evaluation required by their program. Students who fail to meet expectations regarding conduct set out in this Code in a training program within the Faculty, or in any applicable Code of Conduct of their respective professional organizations or regulatory bodies, may be deemed to be unsuitable for further
training and may be dismissed from the program. Academic staff who fail to meet expectations regarding conduct may be subject to discipline by the University.

III. Related Standards, Policies and Regulations

The Code does not supersede other university policies, standards and regulations but rather acts in alignment with them. 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, including:

i. For all members of the Faculty of Medicine
   - Anti-Doping Policy
   - Guidelines on Intimate Relationships Between Teaching Staff and Students
   - Monitoring and Protecting the Learning Environment
   - Policy Against Sexual Violence
   - Policy for the Accommodation of Religious Holy Days
   - Policy on Hazing and inappropriate Initiation Practices
   - Policy on Safe Disclosure
   - Policy on the Responsible Use of McGill Information Technology Resources
   - Procurement Policy
   - Regulation on Conflict of Interest
   - Regulation on the Conduct of Research
   - Regulations Concerning the Investigation of Research Misconduct
   - Reporting Harassment, Discrimination, and Sexual Violence
   - Social Media Guidelines - McGill

ii. For Students
   - Charter of Students' Rights
   - Code of Student Conduct and Disciplinary Procedures
   - Guidelines for Medical Students in Social and Other Media
   - Guidelines for Postgraduate Trainees in the Public Forum - Social Media
   - Policies on Student Rights and Responsibilities
   - Policy Concerning the Rights of Students with Disabilities
   - University Regulations and Resources (Graduate and Postdoctoral Studies)

iii. For Academic Staff and Teachers
   - Academic Appointments and Promotions
   - Policy on Clinical Faculty Appointments
   - Reappointment of Tenure-Track Academic Staff
   - Regulations on Consulting and Similar Activities by Academic Staff
   - Regulations Relating to the Employment of Academic Staff
   - Regulations Relating to the Employment of Contract Academic Staff
Regulations Relating to the Employment of Tenure Track and Tenured Academic Staff
Regulations Relating to Visiting Academic Appointments

iv. For Non-Academic Staff
Administrative Dismissals
Administrative Handbook
Collective Agreement between McGill University non-academic certified association (MUNACA) & McGill
Disciplinary Measures Policy
Dispute Resolution Policy
Employee Assistance Program
Employee Relations Committee
Employee vs Self Employed & Independent Contractors Policy
Staff Files Policy (re Confidentiality)
Staffing Policy (section 10 re hiring of family members)
Strike Policy

v. For Applicants
Medicine-Preparatory and MDCM (including joint) programs: General Requirements
All other Health Professions programs: Authorization, Acknowledgement and Consent

IV. Immediate 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 responsible academic or non-academic leader 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. This would occur in accordance to the applicable university policy.

Reporting Mistreatment

Learner Mistreatment Reporting Process

These measures could include, for example, the removal of teaching privileges, either with residents or students or both or privileges of administrative oversight.

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, religion, gender or sexual orientation.
V. 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 this Code or other relevant codes, policies and laws as per the University’s Policy on Safe Disclosure.

Further instructions on reporting are provided in Appendix 2.

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

Such disciplinary measures may include processes of discovery, investigation and appeal, as appropriate.

VII. Policy Review
The Policy will be reviewed every 5 years by the Deanery Executive Committee, and will include a review of the Faculty’s efforts to meet Policy objectives.

If the Deanery Executive Committee determines a need for revision, this will be undertaken by a working group whose comprehensive composition will be determined by the Deanery Executive Committee.

VIII. Acknowledgements
• All members of the Code of Conduct Revision Working Group.
• Professional Standards for the Learners and all members of the Faculty of Medicine in the Faculties of Medicine and Dentistry at the University of British Columbia
  Dr. Gurdeep Parhar, Chair of Review Committee http://med-fom-faculty.sites.olt.ubc.ca/files/2012/02/Professional-standards-for-the-faculties-of-medicine-and-dentistry.pdf

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APPENDIX 1: Standards of Professional Conduct

are required to demonstrate the behaviours and to meet the expectations of professional conduct set out below, in all interactions related to the Faculty of Medicine.

1. Honesty

   1.1. All members of the Faculty of Medicine are required to conduct themselves honestly and with integrity in their daily work, whether in education, research, clinical care or administration. This includes the appropriate acknowledgement of the contributions made by others.

   1.2. In the context of caring for patients and their families, all members of the Faculty of Medicine are required to adhere to the highest standards of integrity and follow the requirements of professional orders, that may be applicable, with regard to confidentiality and consent.

   1.3. In addition, all members of the Faculty of Medicine and staff are required to engage in ethical interactions with industry and other organizations, by declaring and managing conflicts of interest, real or perceived. They must disclose to sponsors, universities, journals or funding agencies, any material conflict of interest, financial or otherwise, that might influence their decisions on whether the teacher, academic staff or student should be asked to review manuscripts or applications, test products or be permitted to undertake work sponsored from outside sources.

   1.4. As stated in the University’s Regulation on Conflict of Interest, trust is fundamental to the effective operation of the University. An assumption of personal integrity in every Faculty member underlies our policies and procedures. All members of the Faculty of Medicine are expected to conduct themselves with integrity in accordance with the trust and confidence that is reposed in them and must immediately and in full honesty declare any conflict of interest situations.

2. Respect of Others

   2.1. In order to foster a healthy work and learning environment, it is incumbent on all to demonstrate respect and appreciation for their colleagues, students, patients, family members and others they interact with in their role as a member of the Faculty. In particular, All members of the Faculty of Medicine must not discriminate in interactions with others, on the basis of age, race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, unrelated criminal convictions, or any other ground protected by human rights legislation. Reporting Harassment, Discrimination, and Sexual Violence

   2.2. All are called upon to create and maintain an atmosphere conducive to learning, discovery and to the conduct of professional work. All members of the Faculty of Medicine are expected to maintain personal composure and consideration for others and to model language, appearance, and demeanor appropriate to the academic or professional healthcare setting.
2.3. All written or oral communications including those on social media must be respectful and meet the same level of professionalism as would be expected in face-to-face communications.

2.4. In order to ensure proper respectful relationships with patients, students, teachers, academic and non-academic staff, must all establish and maintain appropriate personal boundaries, including, but not limited to, refraining from making unwanted romantic or sexual overtures, protecting personal information, and respecting the individual workspace.

2.5. a. All members of the Faculty of Medicine must not engage in sexual or romantic relations with patients with whom they have a professional relationship. Coercive or exploitive relationships with colleagues, students, patients, research participants, or their families for any purpose including: emotional, financial, research, educational or sexual purposes are strictly forbidden.
   
   b. As per the university Guidelines on Intimate Relationships Between Teaching Staff and Students, where members of the teaching staff have a personal or intimate relationship with a student under their instruction, supervision or authority, they are in a conflict of interest. Staff members have a duty to disclose that relationship immediately to the head of their academic unit and cannot remain simultaneously in an intimate and teaching/instructional/supervisory relationship with the student. Coercive or exploitive relationships with colleagues, students, patients, or their families for any purpose including: emotional, financial, research, educational or sexual purposes are strictly forbidden. Those who are involved in clinical care must ensure that patients and families, as well as members of the health care team and academic community, are always treated with respect and dignity both in their presence and in discussions with other members of the health care team or academic community. Feedback to members of the health care team or academic community, whether oral or written must be provided in a timely, constructive and respectful manner.

3. Confidentiality

3.1. All members of the Faculty of Medicine must respect and maintain the privacy and confidentiality of information about patients and research and educational participants. This includes limiting discussion of patient health issues to appropriate settings for clinical or educational purposes and to those family member caregivers identified by patient consent.

3.2. All must take appropriate measures to avoid breaches of privacy and confidentiality when communicating, especially when using the internet and social media. It is mandatory to adhere to data access and security regulations in both academic and clinical settings. For example, login codes must not be shared, and personal information, including and importantly personal information of patients, should not be transmitted via unsecured networks without consent of all parties.

3.3. All must act in accordance with obligations imposed by privacy legislation related to collection, storage and disclosure of personal information and maintenance and use of educational records, health records, research and personnel information. In particular, All members of the Faculty of Medicine must not access personal information stored in files or computers in the University
or clinical settings without appropriate authorization. In the case of research, data access must conform to the requirements of governing research ethics policies. In the case of clinical duties, access is governed by the rules of the healthcare institution and the expectations of professional orders. In particular, members may only view information on patients with whom they have a current health professional/patient relationship.

4. Responsibility

4.1. **All members of the Faculty of Medicine must be accountable for their own actions** in the workplace, research and learning environments. Behaviours and actions are subject to all the requirements for honesty, respect and confidentiality listed above, which will be used to assess compliance of any particular behavior in this Code of Conduct.

4.2. As responsible members of the community, all must seek to recognize their personal limitations in situations that exceed their level of experience or competence, and consult with and refer to appropriate professional colleagues. Similarly, all must demonstrate self-awareness and responsibility for their actions by accepting and responding appropriately to feedback regarding performance.

4.3. All members of the Faculty of Medicine are expected to exhibit/model behaviour consistent with the Code of Conduct and, where applicable, the deontologic codes of conduct within one’s professional and licensing bodies. To this end, members are expected to maintain and enhance their competence through commitment to continuous professional development.

4.4. In the clinical context, all members of the Faculty of Medicine are required to follow the rules of the healthcare institution and of their professional order in regard to disclosure of errors or misjudgments.

4.5. In the research context, all members of the Faculty of Medicine are required to adhere to the highest standards of integrity and conduct their work using best practices and, where appropriate, in accordance with the requirements of the relevant ethics board or committee, including McGill’s Research Ethics Office (Institutional Review Board – IRB).

4.6. In the course of their work or study, all members of the Faculty of Medicine are expected to promote fiscal responsibility and accountability.

4.7. All members of the Faculty of Medicine must not use alcohol, cannabis or other drugs, including prescription drugs, in any way that could interfere with duties and responsibilities.

4.8. All members of the Faculty of Medicine must report professional misconduct to the appropriate authorities while taking care to avoid unjustly discrediting the reputation of members of the health care team or of the academic community.

4.9. All members of the Faculty of Medicine are required to meet expectations related to punctuality, attendance and participation in their workplace, academic classes or clinical settings including student placements. Students are expected to meet deadlines for group or individual assignments, or for the submission of requested documentation and information in the clinical or academic setting. Students must make timely and pre-approved alternative arrangements when they are unable to meet stated deadlines.
4.10. In addition to the previously mentioned requirements regarding communications, all members of the Faculty of Medicine must use social media responsibly in accordance with the Social Media Guidelines, including refraining from posting any confidential or inappropriate information or comments related to colleagues, students or patients. They must not disclose personal or confidential information about members of the health care team, the academic community or the administration. They must not post information that is untruthful, hurtful, or disrespectful and must use discretion when posting their own personal information.

4.11. Computers, cell phones and similar devices, provided in the academic or health care settings must be used in accordance with the applicable policies, including those regarding personal use. Use of personal communication devices must not be disruptive or interfere with interactions with patients, families, health care providers, students, co-workers, administrative or support staff.

5. **Examples of inappropriate and appropriate behavior**
   Notwithstanding the standards of professional conduct referred to above, the Faculty presents below, a non-exhaustive list of behaviours that may be labeled “inappropriate” or “appropriate” for all members of the Faculty of Medicine. 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 behaviours. 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 students
- 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 Behaviors:
The following are examples of behaviors that are “appropriate.” Again, it is not feasible to provide an exhaustive list of acceptable behaviors.

• Constructive feedback 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
  • Comments to any professional, managerial, supervisory or administrative staff, or a member of a governing board about the performance of others, communicated in a reasonable manner and offered in good faith to achieve improvement.
APPENDIX 2: Procedures to Address Breaches of Conduct

This Code is a foundational document for the Faculty. Allegations of breaches of the Code and the policies referred to therein are taken very seriously by the Faculty and its leadership. Although the specific approach to be taken will depend on the context in which the alleged breach has taken place, the Faculty provides several avenues for the handling of such allegations, as follows:

a. If the potential breach involves a student in a health professional program, in either the role of person alleged to have committed the breach or the person who was the victim of the breach, the complaint should be lodged with the WELL Office WELL Office - reporting mistreatment; Monitoring and Protecting the Learning Environment.

b. If the potential breach involves a student in other educational programs of the Faculty of Medicine, in either the role of person alleged to have committed the breach or the person who was the victim of the breach, the complaint should be lodged with appropriate local designate such as the Program Director or Associate Dean of Biomedical BSc, Graduate and Postdoctoral Affairs Faculty of Medicine Research and Graduate Studies Offices contacts; the University Dean of Students may also be contacted as warranted. Office of the Dean of Students Office for Sexual Violence Response, Support and Education

c. If the potential breach involves a member of the academic staff, and is not covered in a), or b) above, the complaint should be lodged with the appropriate local designate such as Department Chair or Program Director or the Academic Affairs Office Academic Affairs.

d. If the potential breach involves a member of non-academic staff in either the role of person alleged to have committed the breach or the person who was the victim of the breach, the complaint should be lodged with Human Resources in the Faculty HR Faculty of Medicine.

e. If the potential breach involves an applicant, the complaint should be lodged with the Admissions office responsible for the program.

SPECIFIC CIRCUMSTANCES

a. If the potential breach involves the integrity of the conduct of research, then the research integrity officer must also be contacted, regardless of the point of first contact, Regulations Concerning the Investigation of Research Misconduct; rio.vpir@mcgill.ca.

b. In cases of sexual violence, whether it be sexual harassment or assault, gender-based or intimate partner violence, or cyber violence, McGill’s Office for Sexual Violence Response, Support and Education (OSVRSE) https://mcgill.ca/osvrse/ should also be contacted

It is understood that a single incident may involve various aspects and be covered by different points of contact. For students, the WELL Office (Assistant Deans) or the Dean of Students can help students navigate appropriately. For academic staff, the key contact will be the Department Chair and for non-academic staff, the Director of Human Resources in the Faculty of Medicine.

In cases where the above process does not address the issue, or there is uncertainty as to how to proceed, the Dean of the Faculty of Medicine should be contacted directly.