

***Alert: This process is not for an Emergency.***

***If a learner interprets a risk of imminent harm to themselves or others, they must:***

- ***Seek immediate safety***
- ***Call 911, Code White or similar action***
- ***Access immediate assistance from relevant institutional support and safety professionals while finding safe haven in the location of the event.***

***Learners may and should file a report subsequently through this process.***

## **1. PURPOSE**

The Schulich School of Medicine & Dentistry (School) is committed to providing the best professional, respectful, inclusive and supportive learning environment free from conduct by faculty, staff, other learners and public that could be interpreted as mistreatment. The School supports zero tolerance for learner mistreatment in any environment.

This document will complement and not supersede any existing regulatory processes and policies of: Western University, University of Windsor, hospital and clinical affiliates, the College of Physicians and Surgeons of Ontario and the Royal College of Dental Surgeons of Ontario.

The purpose of this document is to:

- a) Define learner mistreatment in the School environment.
- b) Communicate procedures for a learner(s) to report discrimination, micro-aggressions, harassment, mistreatment or retaliation they have experienced or observed without fear of retaliation.
- c) Outline the process for investigation of event(s), reporting and tracking.

## **2. DEFINITIONS for RECOGNITION**

**Discrimination and Harassment** are defined in the [Non-Discrimination/Harassment Policy \(Western\)](#).

**Faculty** refers to any School educator or leader appointed by Western University or an affiliate.

**Learner** is defined as a person in Undergraduate Medical Education, Post Graduate Medical Education or Doctor of Dental Surgery studies at the Schulich School of Medicine & Dentistry.

**Mistreatment** refers to the intentional and unintentional behavior that shows disrespect for the dignity of others and unreasonably interferes with learner process (American Association of Medical Colleges 2011). Mistreatment may be verbal, emotional or physical in nature. Examples of mistreatment include but are not limited to:

- harassment and discrimination
- use of offensive names, insults or slurs
- public embarrassment or humiliation
- threats or acts of physical harm
- obligation to perform personal services
- willful neglect of learner support
- omission of learner from academic or professional communication
- disregard for the physical or emotional safety of the learner
- exclusion from training that is unreasonable given learner's performance or merit
- denial of fair assessment or grading
- gender-based or sexual violence as defined by Western Policy:  
[https://www.uwo.ca/health/student\\_support/survivor\\_support/understand.html](https://www.uwo.ca/health/student_support/survivor_support/understand.html)
- retaliation or other prohibited conduct.

**Retaliation** is the act of doing something harmful in response to a protected act i.e. filing a complaint. Examples of retaliation may include an unexplained change in job duties, bullying, a sudden negative unjustified performance assessment denial of a promotion opportunity or exclusion from workplace social activities.

**Micro-aggressions** denote “a comment or action that subtly and often unconsciously or unintentionally expresses a prejudiced attitude toward a member of a marginalized group”<sup>1</sup> identified by gender, race, ethnicity, sexual orientation or socioeconomic class.

**Staff** is defined as an administrative or support person employed by Western University or their affiliates that are not faculty.

**Program** defines the Undergraduate Medical Education, Post Graduate Medical Education or Doctor of Dental Surgery Programs of the School.

**Event** defines any adverse education or care related occurrence or outcome for a learner that fits with discrimination, harassment, mistreatment, retaliation.

### 3. PROCESS FOR REPORTING AND TRACKING EVENTS

Reporting is the key step after recognition, initiating actions that impact accountability and change in the learning environment. Reporting is everyone's responsibility. Reporting identifies events for investigation and change within the School. Anyone uncertain of the reason or pathway to report is encouraged to seek advice from the Learner Experience Office.

The learning environment of the School is complex because of its various locations, the type of teaching and the presence of other professionals who are involved in patient care and influence the work/education environment. Events impacting the learning environment affect not only a positive learning experience but may also interfere with patient care and the work/education environment of other health professionals.

Tracking and communicating outcomes builds trust and demonstrates transparency for learners and all those affiliated with the School.

---

<sup>1</sup> <https://www.merriam-webster.com/dictionary/microaggression>

The following outlines reporting and tracking an event:

- i. Learners may report events in any learning experience evaluation or faculty review form of the Program of study. Action from this choice may be delayed in timing to later in the academic year or the next year if requested.
- ii. Learners can report mistreatment, harassment, discrimination or retaliation in their learning environment to any of: Learner Experience Office; Western University Equity and Human Rights Services; Western University Student Experience; Program faculty; administrative staff or leaders; Undergraduate Medical Education, Postgraduate Medical Education and Doctor of Dental Surgery leaders.
- iii. Learners are encouraged to use the convenient, effective and confidential means to report learner mistreatment of an electronic form available online on the Learner Experience website. It is the preference of the School for a learner to report using the on-line process.
- iv. Individuals outside the Learner Experience Office, who receive a report from a learner, must make the learner aware of their ability to address the event and need to complete the Learner Mistreatment Reporting Form.
- v. Other witnesses or involved learners who wish to offer support are encouraged to submit their own report.
- vi. Reporting of events may be anonymous or identified. All reports will be reviewed and are confidential.
- vii. For anonymous reporting, the response may limit follow-up.
- viii. A completed form is confidential and if from an identified reporter, it will prompt contact from the Learner Experience Office.
- ix. The Learner Experience Office will review and manage all reports. All communication gathered is confidential. The disclosure form, supporting documents, investigation records and documents, discussion and meeting notes will be retained in a secure file in the Learner Experience Office or if necessary elsewhere in a School, Western University or University of Windsor secure electronic file. These documents will not be disclosed unless released by the Privacy Officer or under the legal requirements of a court order.
- x. The School and University will guard the confidentiality of the complainant whenever possible. If there is reason to anticipate identification of the learner because of the review, there may be a discussion with the complainant to consider a delay in action until the end of a course, rotation or academic year. **This provision will not be considered if there is risk that delayed action may place that learner or other learners at risk**
- xi. The Learner Experience Office will determine if the reported incident falls within a review at Learner Experience or if immediate reporting to Western University Equity and Human Rights Services or Student Experience is required. In cases where the Learner Experience Office decides not to proceed or directs the complaint to another resource, i.e. Medical Affairs of a hospital or a regulatory body, or if the complaint involves allied health, the Learner Experience Office will notify the complainant in writing.
- xii. If the Learner Experience Office finds itself to be in a conflict of interest with a complaint, the Learner Experience Office will immediately inform the Dean who will appoint another individual to review the incident.

- xiii.** The Learner Experience Office senior leadership will decide from the complaint who will investigate. The senior leadership (or delegate) will investigate by interviewing the complainant and interviewing any other persons who might have insight into the situation i.e. witnesses. All will be bound to strict confidentiality regarding the event details.
- xiv. All investigations will be documented and held in the Learner Experience Office.
- xv. Investigations of faculty and staff will only occur by Western University. Investigation of a learner(s) may occur by the School or Western University (depending on the context)
- xvi. The complainant has a right to withdraw the complaint at any stage and not participate in the investigation. However, the Learner Experience Office may elect to continue the formal investigation and decision process as an anonymous event, in compliance with its obligations to ensure that the learning environment is professional, respectful, inclusive and supportive.
- xvii. The Learner who self identifies in an incident will be provided full support through the Learner Experience Office and if relevant, Western University Student Experience or any professional body or affiliate. This will involve all care necessary while a learner at Western. Transition to follow-up care will be provided, if necessary.
- xviii. All events reported will be taken as made in good faith. A complainant or witness found to have been dishonest in making allegations with a conscious design to mislead or with a malicious intent might be subject to disciplinary action.
- xix. In cases where either the complainant or the respondent is dissatisfied with the decision of the investigation, that person must submit his or her appeal in writing to the Dean and refer to the applicable University policy procedure bylaws.
- xx. All investigation reports by Western University processes will have actions and outcomes reported to the relevant Program, Learner Experience Office and the School's Faculty Affairs Office. The Learner Experience Decanal lead will report to and work with the Department Chair/Chief of the faculty member and Program lead of the learner if action is recommended. From that, if needed, the School will report (as per our affiliation agreements) to clinical and / or research affiliates.
- xxi. The Learner Experience Associate Dean will report annually to the Dean, Schulich senior leaders, the UME Curriculum Committee, the PGME Committee, the Dental Leadership Committee and the Joint Schulich Council and all learners on the number and type of complaints received and the actions taken. This annual report will be anonymized and will be made publicly available on the School web site and communicated to governance committees, learners, leaders, faculty and staff of the school.
- xxii. Events that involve specific events at a clinical affiliate will be reported to them in a confidential letter and serve as part of the School report.

September 9, 2020