

Office of Learning Environment & Mistreatment (OLEM) Protocol for PAEP, UGME, & PGME Learners

Approved:

Date of original adoption: Jan 2023

Date of last review: May 2023

Date of last amendment: 16 June 2023

Date of next scheduled review:

This protocol does not supersede powers and procedures set out in other policies of the University, the Faculty of Health Science (FHS) or affiliated teaching sites. Where an existing policy applies, the procedure described in that document will be followed. In addition, if the University or a Faculty office or a clinical institution has jurisdiction, its authority will be respected. This policy recognizes and abides by the following McMaster University processes, policies, and procedures:

- [McMaster University Student Rights and Responsibilities](#)
- [Faculty of Health Sciences Professional Behaviour Code of Conduct for Learners](#)
- [Code of Conduct for Faculty and Procedure for Taking Disciplinary Action](#)
- [Discrimination and Harassment Policy](#)
- [Conflict of Interest Guidelines: Undergraduate and Graduate Studies](#)
- [Sexual Violence Policy](#)
- [Violence in the Workplace Policy](#)
- [UGME Learner Mistreatment Policy](#)

Glossary of Faculty Roles (FHS)

Assistant Dean, Mac-CARE	Faculty member appointed to oversee the McMaster Community and Rural Education Program (Mac-CARE)
Assistant Dean, Physician Assistant Education Program (PAEP)	Faculty member appointed to be responsible for the overall conduct and supervision of physician assistant education within the Faculty of Health Sciences
Associate Dean, Equity and Inclusion	Faculty member appointed to ensure the application of an anti-racist and decolonial lens to curriculum design, policy, procedures, professionalism issues, faculty development, and patient care.
Associate Dean, Indigenous Health	Faculty member appointed to oversee Indigenous Health Learning Lodge, encourage the development and support of Indigenous health programming, address barriers to Indigenous faculty recruitment, and work with associate and assistant deans to integrate Indigenous health education into program curricula
Associate Dean, Postgraduate Medical Education (PGME)	Faculty member appointed to be responsible for the overall conduct and supervision of postgraduate medical education within the Faculty of Health Sciences
Associate Dean, Undergraduate Medical Education (UGME)	Faculty member appointed to be responsible for the overall conduct and supervision of undergraduate medical education within the Faculty of Health Sciences
Assistant Dean, Resident Affairs	Faculty member appointed to oversee the activities of the Resident Affairs Office, as well as meeting with residents & fellows from all campuses for confidential support and guidance
Chair, Student Affairs	Faculty member appointed to oversee the activities of the Student Affairs Office, including developing programming that focuses on student academic support, personal counselling, career planning, and financial planning.
Dean and Vice-President, Faculty of Health Sciences	Leader of the Faculty of Health Sciences
Department Education Coordinator (DEC) or	Faculty member responsible for overseeing the educational activities within a department

**Associate Chair
Education (ACE)**

**Regional Assistant
Dean**

Faculty member appointed to be responsible for the overall conduct and supervision of medical education within the Faculty of Health Sciences at either the Niagara Regional Campus or Waterloo Regional Campus.

Glossary of Terms

Clinical Supervisor or Preceptor	Most responsible faculty member to whom the learner directly reports during a training experience
Closing the Loop	Seeing a concern through such that OLEM can confirm that a sufficient and appropriate resolution has been reached and communication back to learner about resolution if possible.
College of Physicians and Surgeons of Ontario (CPSO)	Health regulatory body of Ontario responsible for ensuring that physicians (including trainees) provide health services in a safe, professional, and ethical manner.
Confidentiality	Refers to the obligation of an individual or organization to safeguard entrusted information. The practice of confidentiality includes obligations to protect information from unauthorized access, use, disclosure, modification, loss or theft. Confidentiality differs from anonymity in that the identity of the person making the disclosure is known to the person receiving the disclosure.
Disclosure	When an individual informs someone in the University community about an experience because they wish to access support, modifications and / or information about their options.
Employee	Where applicable, employee is used to refer to staff (see below) and faculty (see below)
Faculty	Academic teaching staff, clinical faculty, and senior academic librarians who are members of the “teaching staff”. Teaching staff as defined in the McMaster University Act means the employees of the University or of a college affiliated with the University who hold the academic rank of professor, including but not limited to associate, assistant, adjunct and clinical professors.
FHS	The Faculty of Health Sciences at McMaster University
Freedom of Information and Protection of Privacy Act (FIPPA)	Legislation that provides right of access to records held by certain public bodies and regulates how the public bodies manage personal information. FIPPA also provides an independent review process for people who disagree with access and privacy decisions made by public bodies under the Act.
Learner	Any learner registered with the PAEP, UGME, or PGME program, including learners visiting from other institutions for the purpose of clinical experiences.

Navigator team	Team that responds and triages mistreatment reports, communicates with students, and helps relay concerns to leadership in programs, departments, faculty, hospitals, and the University.
Non-Physician Hospital Employee	Hospital employees including, but not limited to, RNs and Nurse Practitioners, Physician Assistants, administrative staff, custodians, security guards, and various primary care providers. This term could also refer to contract workers.
Report	The report of a mistreatment concern.
Reporter	An individual reporting a mistreatment concern.
Resident Affairs (FHS)	An office within Postgraduate Medical Education that provides residents and fellows with a range of services, including academic guidance, wellness resources, and assistance obtaining grants.
Senior Leadership	Inclusive term referring to highest levels of leadership within the Faculty of Health Sciences including Dean, Vice Deans, Associate Deans, Assistant Deans and Regional Assistant Dean as examples.
Staff	Employees of the University including, but not limited to: The Management Group (TMG), unionized employees, temporary employees, casual employees, non-teaching staff, Sessional Faculty, Post-doctoral Fellows, and Teaching Assistants.
Student Affairs (FHS)	An office within Undergraduate Medical Education that provides undergraduate medical learners with a range of services, including academic guidance, wellness resources, and career advice.
Support Person	An individual that the learner would like present when meeting with OLEM. This person could be a trusted faculty member, from the Student Affairs or Resident Affairs office, or a University organization that specifically supports structurally-excluded groups, etc. Please note, learner support does not include legal counsel, in this context.
Warm Hand-off	The forwarding of a concern / case to the relevant Intake Office or administrative body

Background

All members of McMaster University have the duty to promote and provide a safe (physical & psychological) and inclusive educational environment for learners ([McMaster 2020 EDI Strategy](#)). The Faculty of Health Sciences also has committed to fostering a vibrant, collaborative and safe environment for all students, staff and faculty ([FHS Strategic Goals and Priorities, 2020](#)). The goal of this document is to outline the OLEM protocol for managing mistreatment disclosures of learners in the Physician Assistant Education Program (PAEP), Undergraduate Medical Education (UGME) and Postgraduate Medical Education (PGME) programs.

Purpose of OLEM

Our purpose is to raise the voices of students in the Physician Assistant, UGME, and PGME programs, with respect to their experiences in learning environments as registered McMaster learners. We also strive to take a [trauma-informed approach](#) when managing learner mistreatment. This means collaborating with, respecting, and giving choice, wherever possible, to learners who come forward with concerns about their learning environment. In addition, we strive to avoid requiring learners to re-tell and thereby re-live difficult experiences. In so doing, we aim to help build an inclusive learning environment that reflects the vision proposed in [McMaster University's Statement on Building an Inclusive Community with a Shared Purpose](#).

OLEM accepts concerns from PAEP, UGME, and PGME learners about their experiences, as registered McMaster learners, in their learning environments. Concerns are submitted through an online platform or over email. When possible, OLEM meets with learners to provide resources, discuss next steps, and identify potential pathways to resolution. OLEM may then share learners' concerns with relevant leaders and / or designates at McMaster and affiliated teaching sites, while keeping learners' identities confidential.

OLEM will seek to fully understand all concerns that learners bring forward, in order to offer support and to identify options for addressing and / or resolving the concern. OLEM does not have the authority to formally investigate incidents, e.g., by calling in respondents or interviewing witnesses. OLEM takes concerns at face value to enable feedback loops, with the aim of improving the learning environment. If the learner wishes, OLEM will refer learners to the appropriate Faculty of Health Science and / or University intake office, as required.

Defining and Categorizing Mistreatment

The Association of American Medical Colleges (AAMC) defines mistreatment as disrespectful or unprofessional behaviour that is directed at a learner or group of learners, and which has a negative effect on the learning environment.

Mistreatment may be intentional or unintentional. It may also include acts of commission or acts of omission.

OLEM will assist with mistreatment committed by Faculty/Supervisors, peers (example: junior/senior learner), Non-Physician Hospital Employees & Administrative Staff.

Mistreatment can take the form of microaggressions, including verbal or nonverbal slights or snubs that demean, insult, invalidate, and / or assault a learner, as well as bystanders. Such instances of mistreatment demean or humiliate individuals, often – but not exclusively – because of their identity, such as gender identity, race/ethnicity, Indigeneity, sexual orientation, immigration status and/or socioeconomic class ([UGME Learning Mistreatment Policy](#)).

OLEM categorizes mistreatment as follows:

- General Mistreatment
- Sexual Mistreatment
- Mistreatment involving racist, xenophobic and/or anti-Indigenous language or behavior
- Sexual Orientation/Gender Identity Mistreatment
- Ableist Mistreatment

General Mistreatment refers to public humiliation, disrespectful behavior, threats of harm, physical harm, or requests for inappropriate favours.

Sexual Mistreatment refers to a range of behaviours, including but not limited to sexist remarks/assumptions, denied opportunities, unwanted sexual touch to rape or soliciting, coercing, and or requesting sexual acts in exchange for opportunities to advance professionally.

Mistreatment involving racist, xenophobic and/or anti-indigenous language or behavior refers to denied opportunities, subjection to offensive terms/names, lower evaluation or offensive remarks about religion, culture, and / or Indigeneity.

Sexual Orientation/Gender Identity Mistreatment refers to denied opportunities, subjection to offensive terms/names, lower evaluation or offensive remarks about sexual orientation and / or gender identity.

Ableist Mistreatment refers to denied opportunities, subjection to offensive terms/names, lower evaluation or offensive remarks about physical or psychological and, visible and invisible disabilities.

Learners raising a concern with OLEM

Learners in PAEP, UGME and PGME programs can access OLEM via an online form on [the OLEM Web site](#) or [via email](#). Learners may submit concerns either anonymously or confidentially.

Learners / trainees submitting confidentially will provide an email or phone number, and OLEM will then contact them within 2 business days. Should learners contact OLEM via email, an OLEM

representative will email them a fillable copy of the data form and request that they fill it out before meeting us, if they wish.

If, at initial contact, based on the identity or position of the learner or the respondent, it is determined that meeting with the Program Coordinator and/or Faculty Navigator would cause a conflict of interest, then the concern will be reviewed and assigned to the most appropriate educational lead (e.g., PAEP Assistant Dean, UGME Associate Dean or PGME Associate Dean) to manage in accordance with the OLEM framework.

OLEM will meet with the learner in person or in a secure virtual environment. Standard practice will be, pending the learner's permission, to have 2 representatives from OLEM meet with the learner – likely the Program Coordinator and OLEM Faculty lead. One representative will document the meeting and the other will lead the discussion. The learner can, if they wish, have a support person – defined in this document's Glossary of Terms – present when meeting with OLEM. Please don't hesitate to ask OLEM for assistance in linking you with a support person, if you wish.

Learner Options

Learners have several options when meeting with OLEM, including debriefing, disclosing, moving toward resolution, and / or preparing to submit a report to an intake office (see Figure 1).

Debrief

Learner wishes to discuss an experience they have had without providing identifying details, as they wish, to seek support and seek options going forward. The learner may wish to debrief to ascertain whether their experience qualifies as mistreatment.

Disclose

Learners may wish to disclose an experience of mistreatment to OLEM, in as much detail as they wish. They may only wish for the experience to be documented by OLEM, or they may wish to discuss options for seeking resolution.

Move toward Resolution

Learner may wish to engage in a mediated process with the individual who has mistreated them with OLEM's support and facilitation, or have OLEM relay details of the concern to the most responsible person for the individual who mistreated them (respondent), so that they may address the matter with the individual who has reportedly mistreated the learner in question. The position of a given complainant and / or respondent will dictate the route that OLEM takes when relaying the details of a concern. See **Appendix A** for detailed information about the various pathways for addressing learner concerns, should mistreatment occur by faculty, non-physician hospital employee, or by another learner (resident, medical student or PA learner), and depending on whether the mistreatment occurred at the central campus or at one of the distributed campuses.

Prepare for a Report via University Intake Offices:

Learners who have approached OLEM can also choose to submit a formal complaint to a University intake office, even if they have submitted a concern and / or sought resolution with the OLEM office. If learners wish, OLEM can offer support and guidance with approaching one of McMaster's intake offices. These intake offices are authorized to undertake formal investigations if they feel it is warranted, which can include seeking further information from others in the learning environment, bringing in respondents and witnesses, and taking other steps to investigate. They also have the capacity to sanction individuals, under University processes and policies.

For UGME and PAEP learners, the 4 intake offices for submitting formal reports are as follows:

[Professionalism Office, Faculty of Health Sciences](#)

[Human Rights and Dispute Resolution Program, Equity & Inclusion Office](#)

[Sexual Violence Prevention and Response Office](#)

[Student Case Management Office](#)

PGME learners have access to 4 intake offices for formal reporting:

[Professionalism Office, Faculty of Health Sciences](#)

[Human Rights and Dispute Resolution Program, Equity & Inclusion Office](#)

[Sexual Violence Prevention and Response Office](#)

[Employee and Labour Relations \(only for fellows who are employed at McMaster\)](#)

Confidentiality & How it Pertains to OLEM

All information about and stemming from meetings with learners is stored in a secure database that is accessed only by OLEM representatives. OLEM is arm's-length from the 3 educational programs that it supports and is considered confidential.

Exceptions to confidentiality may arise if – as members of the McMaster University community as defined under McMaster's Discrimination and Harassment Policy and the Sexual Violence Policy – we become aware of concerns that are egregious, pose imminent safety concerns, and/or are required to be reported as the above-mentioned policies dictate, or as another college mandates. In the event that a learner submits a concern to OLEM that is in violation of a University policy that is administered by an intake office, OLEM will consult with the Faculty of Health Science Professionalism office, and / or the Sexual Violence Prevention and Response Office (SVPRO), and / or the Equity and Inclusion Office, where applicable, and refer the learner in question to the appropriate intake office. Pursuant to best practices, OLEM will inform the learner that such a consultation is required, and OLEM will only share as much information as is necessary to administer the relevant policy.

OLEM may forward concerns to relevant leaders at McMaster and its affiliated teaching sites while withholding the identity of learners who have submitted concerns and de-identifying any data that could identify the learner. Anonymous concerns may be relayed to leadership, if it is determined that doing so will not inadvertently identify the complainant.

Importantly, methods to de-identify learners include but are not limited to avoiding being specific about the program or the learner type and allowing adequate time to elapse after the date of the purported incident in question. Further, dates and other identifying data are not included.

Some learners who submit concerns confidentially will not want their concern passed on to relevant leadership; however, they will be asked by the office, should there be other concerns that come forward about the individual going forward, if they would consent to the office batching concerns and forwarding on concerns at that point, with the proviso that they will not know if this has been done.

OLEM does not investigate or sanction individuals identified in concerns, but instead allows that those receiving concerns may choose to investigate or initiate formal processes. OLEM's recommendations to leads follow the Vanderbilt Escalation Pyramid (Figure 2), as adapted by Temerty School of Medicine (Houston et al, 2021).

OLEM accepts and addresses reports of concerns at face value and as submitted in good faith in order to best facilitate feedback loops, which can help to improve the learning environment.

When leaders are informed as described above they are given 48 hours to respond that they have read the concern that OLEM has provided to them. Further, they are asked to respond within 30 days with confirmation that they have addressed the concern. Should they not respond within 48 hours that they have read and received the concern, then the OLEM office will send a reminder. If there is no response at this point, OLEM will request the support of the relevant Dean of UGME/PGME/PA to assist. In addition, should there not be a response to OLEM regarding addressing the concern within 30 days, OLEM office will send one reminder. If they do not receive a response, they will enlist the assistance of the UG Dean, PG Dean and PA Dean.

On an annual basis, OLEM will provide an annual report to the Vice Dean of Education and the leads of the 3 educational programs that OLEM supports. The report will outline anonymized data about the number of concerns that have come forward, divided by educational program (if possible), and into broad categories regarding type of mistreatment and resolution status. No individual identifying data will be included. As the office grows, OLEM may be able to provide relevant, high-level data based on concerns by department, depending on the number of concerns brought forward to the office, so long as it is possible to maintain confidentiality.

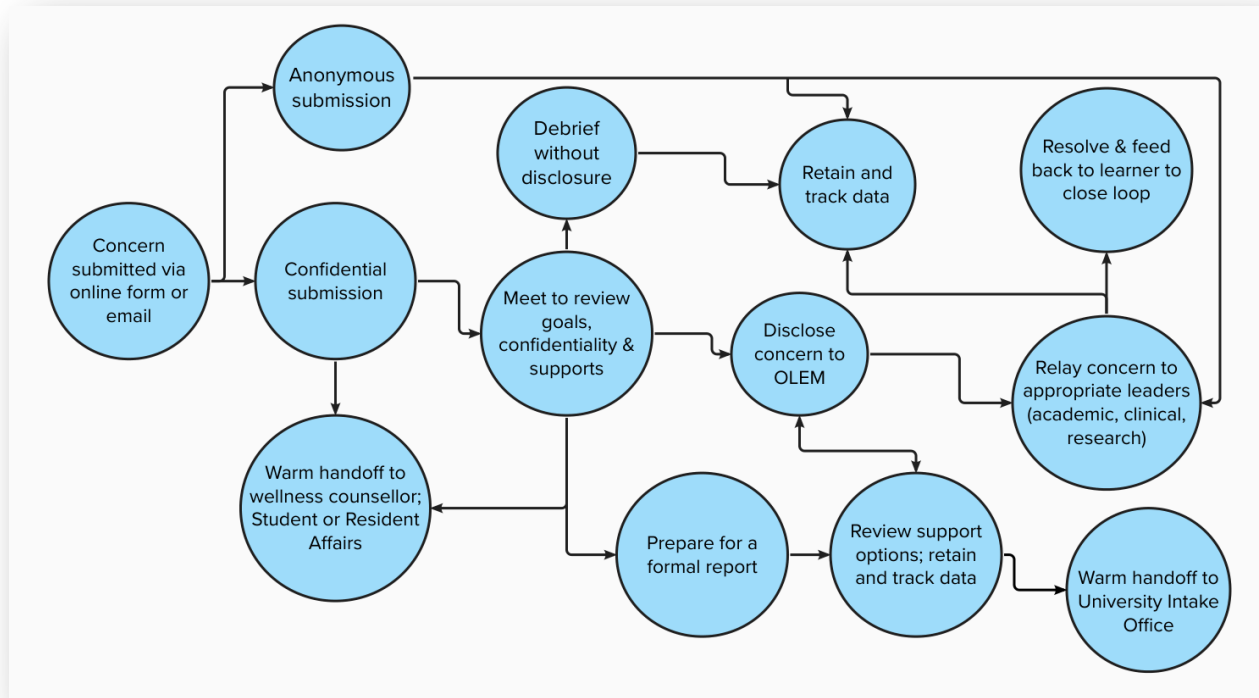


Figure 1 OLEM Process Tree

OLEM Meeting with Learner: Standard Practice

1. Review the purpose of the meeting
2. Review Confidentiality and how it pertains to OLEM
3. Assess whether the concern violates any policies administered by an intake office, and determine whether a consultation and / or referral is required.

4. Review Supports

Review appropriate supports available for learners (e.g., do they have support, have they been in touch with RA and SA or other support re. PA program, can we put them in touch are there other supports they would like present.

5. Review their options:

Debrief

Disclose to OLEM

Moving to Resolution

Prepare for a report to University Intake Office

6. Review Information Form

Review the data in the information form detailing the concern and discuss any further information required, such as whether the complainant has reached out to any other person and / or office in the University, and if they have already submitted a concern – either anonymously or confidentially – to our office about the situation in question in the past.

7. Discuss learner's goals and ascertain the learner's desired option for moving forward

OLEM will follow up with learner to review next steps and to determine whether they would like to hold a 2nd meeting once they have considered their potential next steps. If they wish to go through with informing the learner

8. Take Action

If letter is to be sent, craft letter and seek collaboration with learner around description of specific event, if they wish. See **Appendix B** for a letter template. Once sent, OLEM requests that the most responsible person / people confirm within 48 hours that they have received and reviewed the concern. An OLEM letter typically asks for a response within 30 days confirming that the matter has been addressed.

9. Loop Back to learner

Once heard back from leader re. action, will reach out and inform the learner if they wish to have follow up and with their preferred mode of communication (email or phone).

Prevalent and Egregious Mistreatment

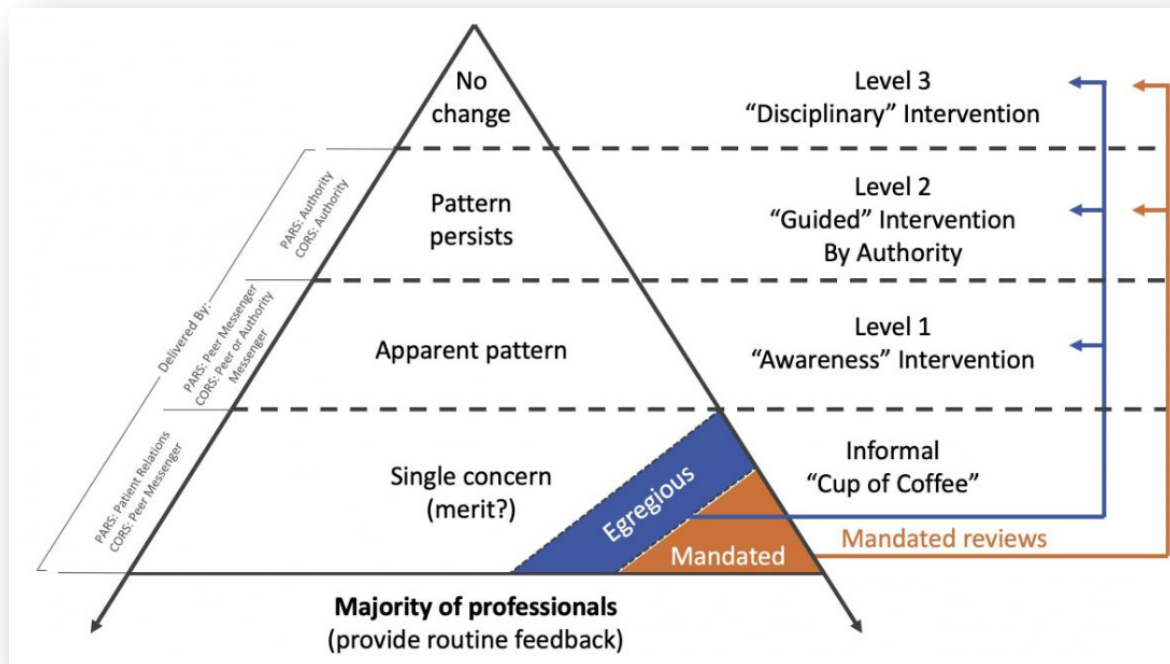


Figure 2 The Vanderbilt Escalation Pyramid. Adapted from Hickson et al., 2007, courtesy of the Vanderbilt Center for Patient and Professional Advocacy, <https://www.vumc.org/patient-professional-advocacy/promoting-professionalism-pyramid>)

Single Concern

For the single concern as described in the Vanderbilt Escalation Pyramid (Figure 2), OLEM will alert the most responsible leader (university or hospital) responsible for the respondent of the concern and request written verification within 30 days confirming that the concern has been addressed. In order to bring resolution to the concern, OLEM will follow up if confirmation is not received. Following this, if no communication received, OLEM will engage the relevant educational lead for assistance.

Apparent or Persistent Pattern

When repeated disclosures across multiple learners suggest an apparent or persistent pattern despite disclosure of previous concern to those who are most responsible for the respondent, then OLEM will engage with the relevant educational leaders, hospital, and university leaders, to allow those responsible for the respondent to determine next steps, such as Level 1 to Level 3 interventions, for example.

Egregious Mistreatment

Egregious mistreatment including includes, but is not limited to, legal infractions and acts that would involve imminent risk of safety and fall under McMaster's Sexual Violence Policy and/or Discrimination and Harassment Policy and/or college reporting mandates, which prohibit retaliation for learner raising concerns about learning environment. If egregious mistreatment is disclosed, OLEM will arrange an urgent meeting to consult and share details of the concern with the Professionalism office, and / or SVPRO and EIO. Such a meeting might also include appropriate educational leads (Associate Dean UGME or PGME or Assistant Dean Physician Assistant Education Program), Hospital Leader, if relevant, Regional Assistant Dean or MAC-Care Dean, if relevant, Faculty of Health Science Legal Advisor and representative from Faculty Affairs, to determine next steps re. Intervention from those responsible for the respondent.

References

Hickson, GB, Pichert JW, Webb Le, Gabbe Sg. "A complementary approach to promoting professionalism: Identifying, measuring, and addressing unprofessional behaviors. *Academic Medicine*, 2007 Nov 82(11): 1040-1048.

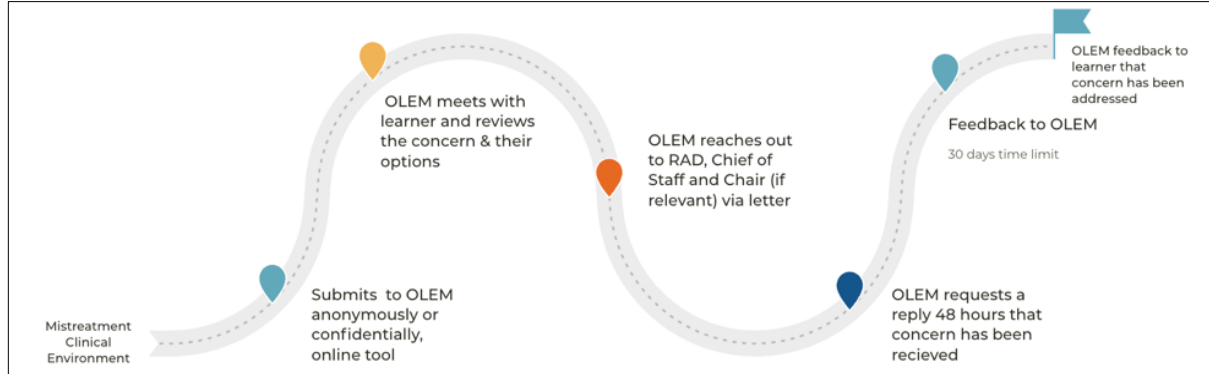
Houston, Patricia, Tony Pignatiello, Reena Pattani. *Annual Learner Experience Report, 2020-2021*. Temerty Medicine, University of Toronto.
<https://pgme.utoronto.ca/wp-content/uploads/2021/11/2021-Annual-Learner-Experience-Report-Final.pdf>

https://www.medportal.ca/sf-docs/default-source/policies-and-procedures/ugme-learner-mistreatment-policy.pdf?sfvrsn=cd73e54f_2;
<https://sph.umn.edu/site/docs/hewg/microaggressions.pdf>)

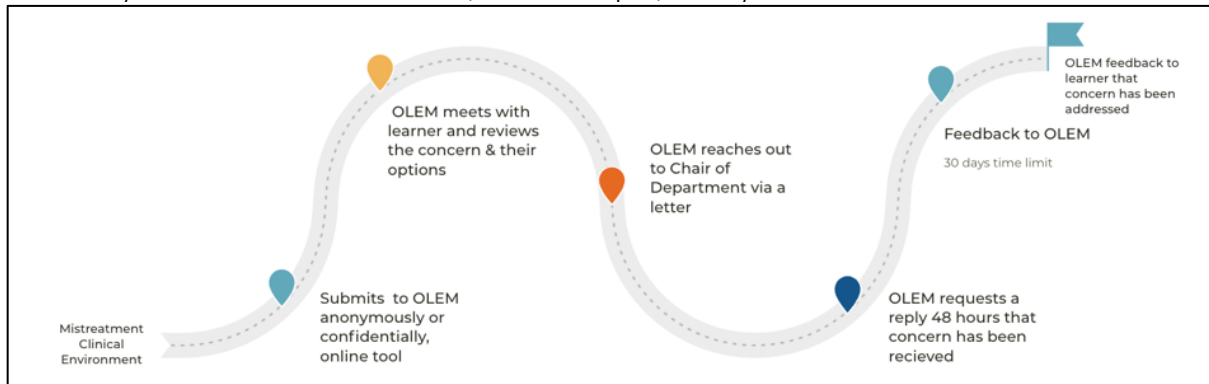
https://equity.mcmaster.ca/app/uploads/2021/03/Remediated_Towards-Inclusive-Excellence_Report-on-McMasters-EDI-Strategy_September-2020-FINAL.pdf).

Appendix A

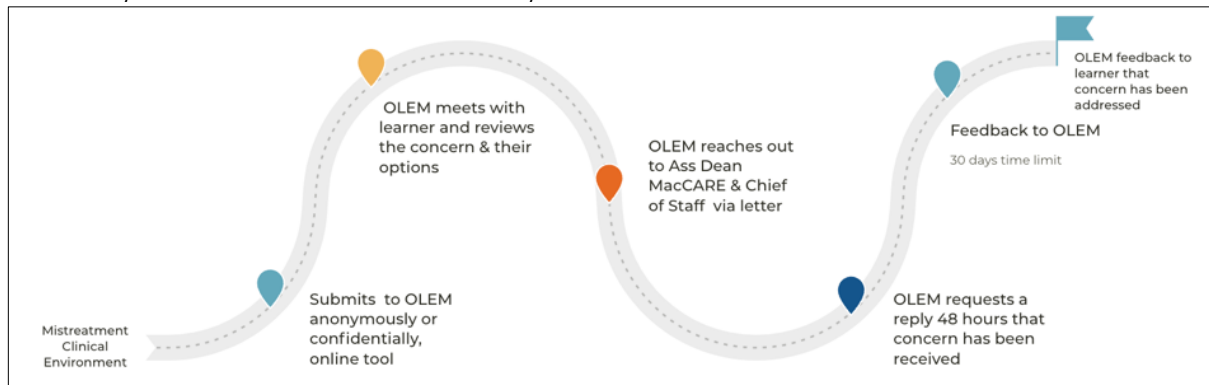
1. Pathway for Concern about Distributed Campus Faculty



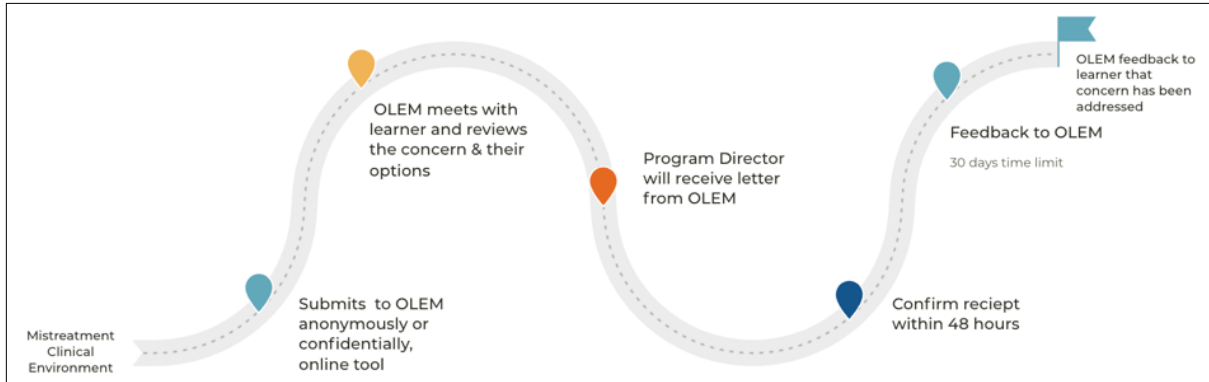
2. Pathway for Concern about Hamilton (Central Campus) Faculty



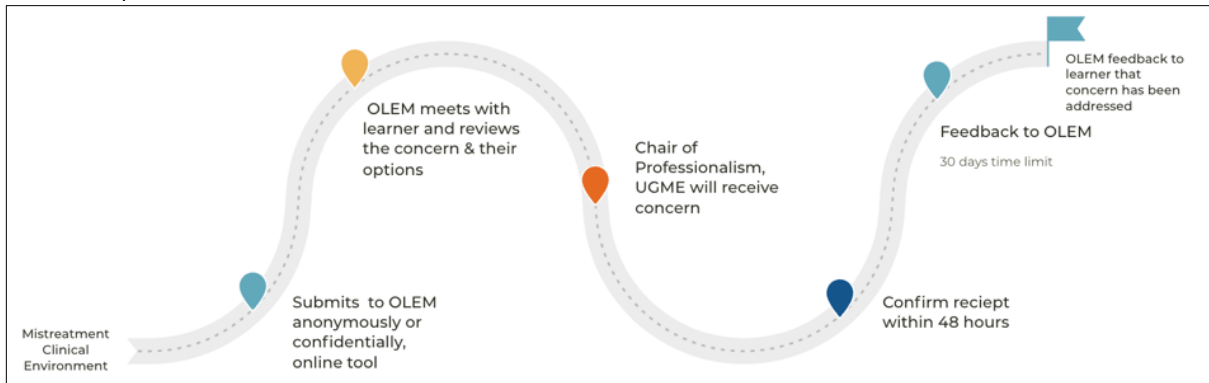
3. Pathway for Concern about a MacCARE Physician



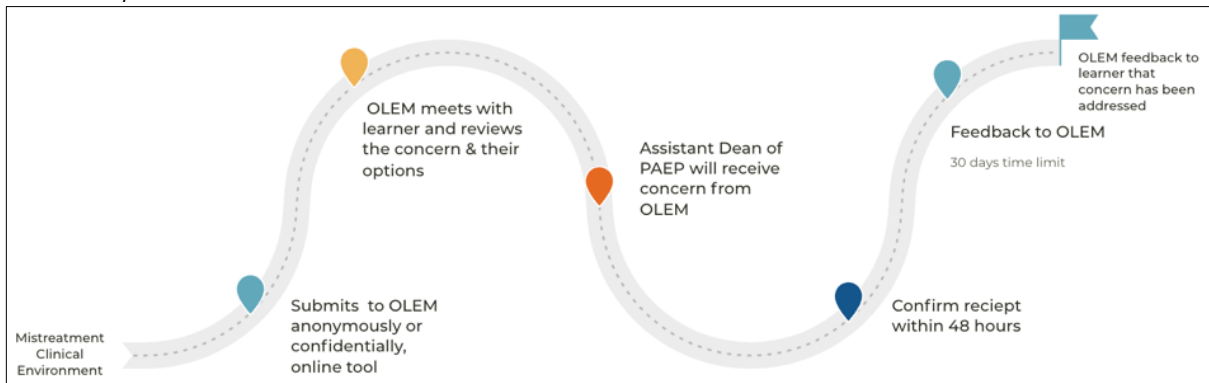
4. Pathway for Concern about a Resident / Fellow



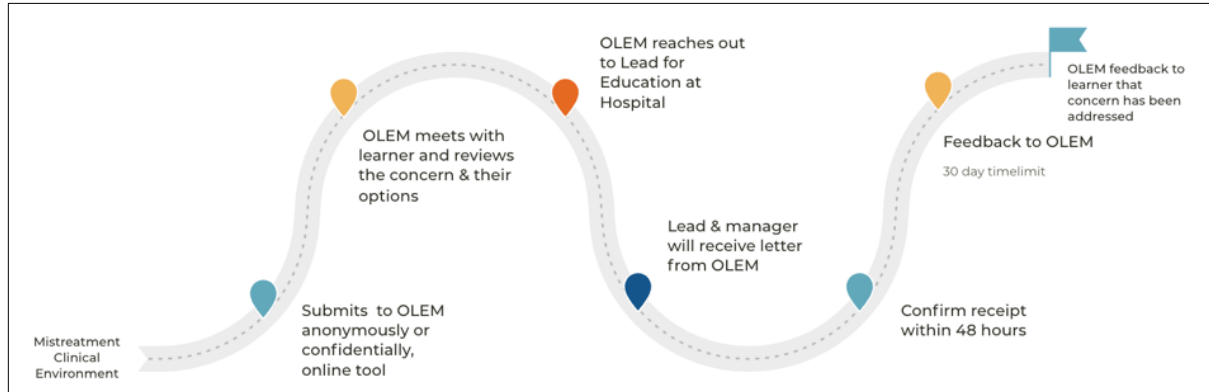
5. Pathway for Concern about a UGME Learner



6. Pathway for Concern about a PA Learner



7. Pathway for Concern about a Non-Physician Hospital Employee



Appendix B

Sample Letter

Date

To:

Re: Learning environment concern

Dear

I am writing on behalf of the Office of Learning Environment and Mistreatment (OLEM) in the Faculty of Health Sciences at McMaster University. Our purpose is to enable the voices of Physician Assistant Students, Medical Students, and Postgraduate Medical Trainees around experiences in learning environments affiliated with McMaster University. Our goal is to build an inclusive learning environment aligned with McMaster University's Statement on Building an Inclusive Community with a Shared Purpose.

<https://equity.mcmaster.ca/app/uploads/2020/04/download.pdf>

The OLEM accepts informal reports around the learning environment from any learner through an online platform. Concerns are forwarded to relevant leaders and bodies of McMaster and its Clinical Affiliates. The OLEM does not investigate or sanction individuals identified in informal concerns, but instead acknowledges that those receiving concerns may choose to investigate or initiate formal processes. The OLEM takes concerns at face value to enable feedback loops to improve the learning environment. It is in this spirit that we provide you with a summary of a concern:

Individuals who raise concerns about the learning environment may become more vulnerable as a result. Accordingly, any retaliation towards learners in response to them raising concerns about their learning environment will not be tolerated and is considered egregious by the university. We are therefore withholding extraneous details – such as the dates of the incident – in order to avoid identifying the individuals. Where learners have submitted an informal report, we strive to raise their voices while preserving their identities and protecting them from undue repercussions. We ask that you do the same. This includes you both not attempting to contact any learner who may have been involved in raising this concern, unless the learner has granted express permission to do so.

We request that you let us know in writing by [one month from date of letter] of your plans to address. Note that we do not require details of the resolution.

As this is a new process, if you have any questions or concerns, or would like to discuss this matter further, please do not hesitate to contact our office. For further information, I have attached a recent scoping article on mistreatment in the learning environment.

Thank you for your attention to this matter. I look forward to hearing from you.



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