

University of Toronto Faculty of Medicine Postgraduate Medical Education

Guidelines for Educational Responsibilities in Clinical Fellowships

1. Introduction

Clinical fellows are physicians who are acquiring post-certification training. According to the *Medicine Act, 1991*, the applicant must meet the educational requirements for certification as a specialist by the Royal College of Physicians and Surgeons of Canada (RCPSC) or the College of Family Physicians of Canada (CFPC), or a member board of the American Board of Medical Specialties, or be recognized as a medical specialist in the jurisdiction where the applicant practices medicine immediately before the appointment as a clinical fellow. A clinical fellowship is an opportunity for a physician to obtain advanced training, and/or to acquire more specialized expertise than would typically be available during a residency.

In Ontario, most clinical fellows practise pursuant to a medical educational license, issued by the College of Physicians and Surgeons of Ontario (CPSO). The CPSO requires clinical fellows with an educational license to have goals and objectives against which they are to be evaluated, and expects every fellowship to adhere to supervision guidelines and professional responsibility policies.

The relationship between the University of Toronto and a clinical fellow is an educational one only; these Guidelines therefore deal only with the educational component of clinical fellowships. The clinical aspects of the clinical fellows' learning are all subject to the policies, rules and regulatory compliance of the hospital or other clinical setting.

2. Principles

- a) The University, through its Postgraduate Medical Education (PGME) Office, Academic Departments, and supervising and collaborating clinical faculty members, shall endeavour to provide a reasonable opportunity for the clinical fellow to attain the written goals and objectives of the fellowship. This will include provision of feedback in various ways throughout the fellowship in compliance with the College of Physicians and Surgeons of Ontario's *Policy on Professional Responsibilities in Postgraduate Medical Education* [<http://www.cpso.on.ca/policies/policies/default.aspx?ID=1846>] Every supervising and collaborating clinical faculty member and every clinical fellow is expected to be familiar and compliant with the CPSO's Policy.
- b) In keeping with the foregoing principles, every offer of a clinical fellowship shall contain, as an appendix, a written statement of the fellowship's Goals and Objectives. The offer letter shall contain a reference to the acceptance of the Goals and Objectives by both the supervisor and the clinical fellow. Once accepted, a copy of the offer letter shall be filed with the PGME Office and with the Academic Department Chair.

- c) In every case the offer must be in writing. Each offer letter shall include the following:
- A statement of the duration of the fellowship, including the start and end dates
 - A statement that the relationship between the fellow and the University is educational only and does not constitute an employment relationship with the University
 - A statement that the fellowship is subject to legal and policy and professional requirements of the clinical site
 - A statement that the fellowship supervisor will provide the clinical fellow with a copy of the educational goals and objectives of the fellowship, as approved by the Vice Dean PGME
 - A statement that successful completion of the fellowship's goals and objectives shall entitle the fellow to a Certificate of Completion, issued by the University of Toronto and its Office of Postgraduate Medical Education
 - A statement that the fellow may be placed on probation or be subject to remediation
 - A statement that the fellowship may be terminated earlier for cause for performance reasons
 - A statement that the fellowship program shall endeavour to provide a reasonable opportunity for the clinical fellow to attain the written goals and objectives of the fellowship

Other terms may be developed as required by the institutions involved.

3. Evaluations

Evaluation of clinical fellows should occur on a regular basis, through a combination of oral feedback delivered in the clinical setting and in meetings, and periodic written assessments. All evaluations should be guided by the educational goals and objectives of the fellowship.

A meeting to discuss educational progress should be held between the clinical fellow and the supervisor after each three months of the fellowship.

A formal written evaluation must be completed after each 6 months of the fellowship. In one year fellowships, the second evaluation is the summative, final evaluation and is conducted in the final month of the fellowship.

If deficiencies are observed, these should be conveyed to the clinical fellow in a meeting and/or in a written evaluation.

4. Remediation, Probation or Suspension

- a) **Remediation:** Where, in the opinion of the supervisor, there are deficiencies in progress towards the goals and objectives that are not being remedied through standard educational interactions, and there is a reasonable prospect of improvement with additional measures being put in place, the supervisor shall propose a remediation plan. The plan will include specific written measures that are designed to assist the fellow in achieving the goals and objectives.

The proposed remediation plan is to be discussed with the Academic Department Chair (or delegate) and is subject to his/her approval. Where remediation involves additional costs (tutoring, coaching, textbooks, etc.) the responsibility for such costs as between the funder of the fellowship, the fellow and the supervisor's Academic Department shall be identified and included in the proposed plan.

The proposed plan shall be discussed with the clinical fellow. Agreement to the plan by the supervisor and the clinical fellow shall be recorded in writing, and a copy shall be provided to the PGME Office. The remediation plan should specify the consequences of both successful completion of remediation, and unsuccessful remediation. The decision as to whether the remediation has been successfully completed is to be made by the supervisor and the Academic Department Chair (or delegate).

If the remediation results in any material change of the goals and objectives of the fellowship, the CPSO must be notified. A second remediation may be entered into, but only in exceptional circumstances. If the fellow does not agree to a remediation proposal that has been approved by the supervisor and the Academic Department Chair (or delegate), the fellowship is subject to termination for cause. A fellow who disagrees with a proposed remediation may ask that the Vice Dean PGME review the proposal and that there be further discussion with the supervisor. The decision as to the appropriate remediation plan remains that of the supervisor after such review and discussion has occurred.

- b) **Probation:** Where, in the opinion of the supervisor, there are more serious deficiencies in meeting the requirements of the clinical fellow role at any point in time (i.e. ones that are not viewed as being amenable to being dealt with via a remediation plan), the supervisor may, with the approval of the Academic Department Chair (or delegate) place the clinical fellow on probation. Probation is a time-limited period of clinical activity where performance is closely monitored and where, if the serious problems continue, there will be a termination of the fellowship for cause. The terms of the probation must be set out in writing. Failure to meet the probationary standards shall result in termination for cause. Successful completion of probation results in the resumption of regular evaluation.
- c) **Suspension:** Where, in the opinion of the supervisor, the fellow has committed a critical error and/or there is a concern for patient safety or the safety of the learning environment, the fellowship must be suspended immediately. In such a case, the supervisor must notify, in writing, the clinical fellow; the Chair of the Academic Department; the hospital or clinical site Vice-President Education (or equivalent); and the Vice-Dean PGME. The PGME Office shall inform the CPSO of the suspension.

Carriage of a review/investigation or other handling of the circumstances underlying the suspension shall depend on the institution having jurisdiction. Designation of jurisdiction shall be a matter of discussion between the University and the other institution, and may be subject to additional policies or guidelines, such as the PGME Guidelines Addressing Discrimination and Harassment.

Any decision regarding return to clinical training from suspension is dependent on the conclusions of an investigation or other review, and by a CPSO determination (if applicable). The decision and investigation will be determined by the University Academic Department, the Hospital, and PGME consulting together.

All of the foregoing, whether in relation to remediation, probation or suspension, is subject to applicable laws, regulatory requirements and policies pertaining to the clinical activity.

5. Termination and Review

The Academic Department Chair (or delegate) may terminate a fellowship prior to its scheduled completion date for cause for performance reasons. The Academic Department Chair shall ensure that prior to the final decision the clinical fellow has been advised in writing of the reasons for the proposed termination, and has had an opportunity to respond. Prior to any decision to terminate, the Academic Department Chair (or delegate) shall consult with the fellowship supervisor, the Vice-Dean PGME and the hospital Vice-President Education. Termination for cause may occur at any time in the fellowship depending on the performance reasons that exist, and is not dependent whether remediation, probation, or suspension has occurred beforehand.

In all cases of early termination for cause for performance reasons, the University will alert the institution which has entered into the contract with the fellow in advance of the termination being finalized, so that the institution may consider what contractual provisions, if any, including notice, may apply.

Where a clinical fellow has been terminated for cause for performance reasons, PGME will not issue a Certificate of Completion, but will only issue a letter which verifies the dates and duration of the trainee's registration and includes a notation that the fellowship was terminated for cause.

The CPSO must be notified of a change in status following a withdrawal of the trainee from a clinical fellowship or the termination of the fellowship for cause for performance reasons.

The decision of the Academic Department Chair (or delegate) regarding the termination of a fellowship for cause for performance reasons is not subject to appeal. However, a clinical fellow may request a review of the decision. The review shall be conducted by an alternate individual or individuals appointed by the Vice Dean PGME. The review shall consider whether there was a reasonable opportunity given to the fellow to achieve the written goals and objectives of the fellowship. If the review concludes that a reasonable opportunity was not provided, the decision shall be referred to the Vice Dean PGME for further discussion as between the Vice Dean PGME, the supervisor, the fellow, the Academic Department Chair (or delegate), the clinical site and any other relevant parties. The outcome of the discussion depends on all the circumstances considered.

6. Attainment of Educational Goals and Objectives

Where, in the opinion of the clinical fellow, there are serious deficiencies in the efforts of the supervising and collaborating clinical faculty members to provide a reasonable opportunity for the clinical fellow to attain the goals and objectives of the fellowship or serious deficiencies in those faculty members' compliance with the CPSO's *Policy on Professional Responsibilities in Postgraduate Medical Education*, a review of the progress of the clinical fellowship shall occur. The review shall be conducted by an individual or individuals appointed by the Vice Dean PGME. If the review supports the opinion of the clinical fellow, the case shall be referred to the Vice Dean PGME for corrective action, to be undertaken in consultation with the relevant parties, including the Academic Department Chair (or delegate).