

AIIMS, Bhubaneswar Guidelines for Addressing Intimidation, Harassment and Other Kinds of Unprofessional or Disruptive Behavior in Undergraduate and Postgraduate Medical Education

1. BACKGROUND AND PURPOSE

AIIMS, Bhubaneswar places the utmost importance on the safety and well-being of its undergraduate and postgraduate students and their right to learn in an environment of professionalism, collegiality, and respect. The faculties of AIIMS, Bhubaneswar have a joint responsibility to protect the integrity of the clinical and academic learning environment for all students. These guidelines prohibit discrimination, harassment and unprofessional behavior in the learning environment and provide the assurance that the administration and faculty will respond when that environment is compromised.

The purpose of these Guidelines is to:

- 1.1 Define harmful incidents which include intimidation, harassment, and unprofessional behavior;
- 1.2 Outline the process for UG & PG students to report complaints of harmful incidents involving themselves or other students and initiate an investigation.
- 1.3 State the actions that shall be taken when any person is found guilty of such conduct

2. DEFINITIONS

2.1 A Harmful incidents defined broadly as an incident in which one person's behavior or actions causes harm to other students, trainees or patients and compromises the learning environment and system of patient care. Harmful incidents include intimidation and harassment, and incidents of unprofessional or disruptive behavior.

2.2 Harassment is defined as "a course of vexatious conduct which the perpetrator knows or ought reasonably to know is unwelcome". Harassment can be human-rights based; based on someone's race, creed, colour, ethnicity, sex, sexual orientation, national origin, age, marital status, family status, or disability. Harassment may occur between faculty members, residents, fellows, and medical students, or between allied health professionals or employees of AIIMS, Bhubaneswar. Harassment can create intimidation or a hostile or offensive environment and can interfere with a person's work performance and adversely affect their employment opportunities.

All behaviors and actions that are deemed unacceptable are listed below:

Examples of harassing and intimidating conduct include the following kinds of behavior:

- Racial epithets or slurs
- Disrespectful jokes or banter about sex
- Comments about someone's physical appearance or sexual attractiveness
- Negative stereotypes about a particular ethnic group
- Homophobic remarks

- Disparagement of someone's religious devotions
- The circulation of insulting or demeaning written material and pictures
- Unwelcome physical contact
- Shouting or raising one's voice
- Constant interruption and refusing to listen
- Ridicule
- Singling someone out for grilling or interrogation
- Unjust assignment of duties; overloading someone with work
- Physical intimidation/harassment, e.g., pushing, punching, slapping, threatening gestures, or throwing objects at an individual
- Education/service imbalance e.g., contractual infractions, inadequate supervision, excessive service load or service assignment without educational merit
- Reprisal or threat of reprisal for negative feedback of staff, program or service, including the lodging of a complaint or grievance

In addition, the following will be considered disruptive behavior

- Damaging institute property (windows, doors, furniture, TVs, musical instruments, gym equipment etc.)
- Possession of alcohol or substances of abuse inside the hostel or within JIPMER campus
- Drinking alcohol or using any substance of abuse within JIPMER campus
- Indulging in any form of ragging
- Breaking institute or hostel rules

Harassment does not include:

- Normal supervisory responsibilities including appropriate assessment and criticism of the resident's academic efforts, even if the resident does not agree
- Expectations of reasonable quality of academic performance
- Personality or interpersonal conflicts
- Discussion and debate of controversial topics in an academic environment

2.3 Intimidation is the use of one's authority to inappropriately influence other people's behavior, and can reduce the extent to which people are willing to exercise their rights. Abuse of power can involve the exploitation of trust and authority to improper ends.

2.4 Unprofessional conduct is demonstrated when a physician does not act respectfully towards other physicians, hospital staff, volunteers, trainees, patients and their families. Such behavior has the potential to harm the learning environment. It may include making remarks of

an intimidating or discriminatory nature. This also includes coming to work under the influence of such substances.

3. PRINCIPLES OF REPORTING COMPLAINTS

3.1 Reporting options: Reporting a complaint may be initially verbal. However, for action to be taken the complaint should be written. Undergraduates may submit a written complaint to the faculty member who is the Chief Warden/Dean/Sub Dean/Registrar. Postgraduates may submit a written complaint to the Dean or Head of the Department who may take direct or indirect corrective action.

3.2 Confidentiality: Confidentiality will be upheld regardless of how or to whom the report is made unless disclosure is required by law, or as necessary to investigate the complaint. Confidentiality is not the same as anonymity. For a complaint to go forward through mediation or an investigation, disclosure of identity and details must be made available to the respondent, mediator and/or investigative committee. No formal investigation or action will be taken upon anonymous reports against other residents, faculty or staff. In egregious cases of inappropriate treatment, AIIMS, Bhubaneswar reserves the right to investigate without the participation or consent of the reporting trainee.

3.3 Fair and transparent reporting process: There should be a process to clarify the facts concerning the allegation which must occur in an atmosphere free of retribution. A report of any of the behaviors named above is a serious accusation against another individual or a group of individuals and AIIMS, Bhubaneswar will give serious weight to any such accusation. Making a false, frivolous, or malicious report will be considered as a professional lapse and the usual procedures used for addressing lapses in professionalism will be pursued.

3.4 Timeliness: Timely identification of a harmful incident and redressal process will be the goal to protect the rights of the complainant and respondent.

4. REPORTING PROCEDURE

We urge any undergraduate or postgraduate who believes he or she has been subject or witness to a harmful incident to bring a complaint forward. PGs have the option to report harmful incidents by sending a written report of the incident to the Dean or HOD while the UGs can send to the Chief Warden/ Dean/ Sub Dean/ Registrar.

5. PROCEDURE FOLLOWING SUBMISSION OF A REPORT BY A POSTGRADUATE

The Chief Warden or Dean or Registrar or any other authorized official who receives the report will follow up by contacting the complainant in order to:

- clarify the details of the incident as reported;
- provide the complainant with information about the process to address their complaint, including informal and formal resolution options
- clarify the need for other individuals to be made aware of the incident in order to address the situation;
- determine the complainant's interest in proceeding and the process to be taken (informal vs. formal);

Forward reports to the Director, AIIMS, Bhubaneswar.

NOTE: *Complaints submitted in writing should be clearly dated and labeled “Confidential report for the attention of Chief Warden/ Dean/ Registrar” to ensure priority review. If the concerned functionary, to whom the report is submitted, is away on long leave, the person responsible for assuming his/her duties may review the complaint.*

A reporting UG or PG has the right at any time to withdraw from further participation in any investigation or other action based on the report. The investigation or action may continue without the participation of the student, depending on established policy, the recommendations of experts, the existence of related reports, and other contributing factors. If a student declines further participation, he or she will forgo the right to be informed of subsequent developments in the case.

Sexual harassment/sexual abuse incidents will be reported to the appropriate committee in AIIMS, Bhubaneswar.

6. PROCEDURES FOR RESOLUTION

6.1 Informal Resolution Process

A complainant may choose to follow an informal process of resolution. This should be encouraged and resolution of problems locally wherever possible should be the first step. Head (s) of the concerned Department (s) will try and promote an informal resolution of the issue to the satisfaction of all parties. If for any reason the complainant feels the situation warrants a formal investigation, or if the result of an informal discussion is not satisfactory, the Formal Resolution Process described below can be followed.

6.2 Formal Resolution Process (Investigation)

6.2.1 Establishing the Investigative Committee

- A committee will be established within 10 days of the receipt of a formal complaint or without settlement of an informal process.
- The investigation will include meeting with the complainant, the respondent, and with people who have evidence about the allegations (witnesses). The committee may also consider other evidence such as documents and communications.
- In meeting confidentially with the complainant, the committee will:
 - i. summarize the procedure that will be followed for investigating the complaint;
 - ii. provide information about relevant policies and procedures to be followed for investigating the complaint; and
 - iii. reassure the complainant that he/she will be given full opportunity to state his/her case and present relevant evidence

6.2.2 Decision/Outcome of the Investigation

- The committee will write a report confirming its decision and proposing corrective action(s). The committee will send a letter to the respondent and the complainant with a copy of the report. The Director, Dean and Medical Superintendent will also receive a copy.

- The complainant and the respondent will have 10 days after receipt to accept or appeal the outcome of the investigation.

Any undergraduate, postgraduate, senior resident, faculty member, staff or other person, who is found, after appropriate investigation, to have harassed any person, will be subject to appropriate disciplinary action, up to and including termination or being expelled from the institution.

Appropriate disciplinary action may include:

- For first time minor misconduct, an oral warning
- If the act is repeated or there is another misconduct a written memo will be given seeking a written explanation. This will be entered into the service book
- If this is repeated for the third time the final conduct certificate stating that his/her character was good will not be issued by AIIMS, Bhubaneswar.
- A period of suspension
- Eviction from hostel/quarters. If the misconduct is of a serious nature, the committee may defer going through the stages of increasing punitive measures and terminate the services of the offender/or expel him/her from the institution. The conduct and character certificate will not be issued. He or she may be prevented from applying for a job in AIIMS, Bhubaneswar in future.

7. APPEALS

The complainant or the respondent may submit a written appeal to the Dean, AIIMS, Bhubaneswar, requesting re-consideration.

8. GENDER SENSITIVITY

All students should be sensitive to gender related issues. Use of discriminatory and belittling language, gestures and tone when dealing with women is not acceptable. Watching movies or clips with sexual content and taking and forwarding videos of women patients taken with mobile phones is not acceptable.

9. ISSUES DEALING WITH RESERVED CATEGORY (SC/ST) EMPLOYEES, PEERS AND OTHERS

All students should be sensitive to the needs and aspirations of those belonging to reserved categories (SC/ST). Use of derogatory terms, gestures will be dealt with utmost seriousness as per the provisions in the law.

10. SAVING

Any of these guidelines in-consistent with any of the CCS (Conduct) Rules or any other Acts/Rules as applicable to faculties, staff etc. of AIIMS, Bhubaneswar will be void and the CCS(Conduct) Rules or any other Acts/Rules as applicable will prevail.

11. CODE OF CONDUCT (HOSTEL BOARDERS)

- 11.1 All boarders are required to maintain good standard of behavior with others.
- 11.2 The rooms, common areas and surrounding of the hostel should be kept clean and hygienic. Disfiguring the hostel premises shall be treated as an offence.
- 11.3 Rooms are allotted to each student on his/her personal responsibility. He / She shall be responsible for his/her belongings and maintenance of the room.
- 11.4 The boarders are refrained to carry authorized/illegal materials / weapons / movies CD and any other items objectionable under law, to hostel premises.
- 11.5 The boarder of a room is responsible for any damage to Institute property in their room during his / her stay. He / she shall be required to replace / repair the damage at his/her own cost.
- 11.6 In case of damage or loss of hostel property the cost will be recovered from the students responsible for such or loss, if identified, or from all the students of the wing / hostel, as decided by the Hostel Authority.
- 11.7 Ragging inside and outside the Institute are totally banned. Every single incidence of ragging will be dealt with hardship as per the direction of the Honorable Supreme court of India.
- 11.8 Fresher's are required to report the incidence of ragging immediately to their Hostel Superintendent.
- 11.9 When persons committing or abetting the incidence of ragging not identified, a collective punishment on suspected group could be resorted to as a deterrent measure.
- 11.10 In hostel premises, following activities are strictly prohibited-
- Smoking
 - Consumption of alcoholic drinks/ drugs.
 - Gambling
 - Intimidation or violence
 - Willful damage to property
 - Entering the hostel premises in intoxicated state.
 - Moving in the colony sector or near the Girls hostel premises after 7:00 p.m.
 - Shouting and using abusive language in their own hostel or in other hostel premises campus.
 - Employing any person to do personal work such as washing clothes, etc.
 - Cooking in room.
 - Use Electrical Appliances with high power consumption such as iron, kettle etc.
- 11.11 Room services are strictly prohibited. However, sick diet may be served in room after taking from Asst. Superintendent.
- 11.12 The uses of audio system and act of inconvenience to other broadcast are not allowed.

- 11.13 First year students must take permission from Superintendent for going out from the hostel for any reason and must make entry in the in-out register available with security guards at the hostel gate.
- 11.14 All residents of Girls hostel must be back in the hostel by 7:00p.m. (6:00 p.m. for November to February). For any of the unavoidable situations; she must contact the superintendent for permission. All residents of Boy's Hostel must be back in the hostel by 8:00 p.m. (7:00 for November to February)
- 11.15 No Overnight guests are allowed in a student's room without permission of the Hostel superintendent.
- 11.16 In boy's hostels, the parents of a boarder and other male guests may meet him in his room.
- 11.17 Male students / visitors are not allowed inside the girl's hostel.
- 11.18 Female visitors are not allowed in boy's hostel; however, lady family members may be allowed to visit a student in the visitor's room only.
- 11.19 Possession and use of four wheelers vehicle is not allowed inside the Hostel Premises.
- 11.20 Violation of any of the above, may lead to disciplinary action as deemed fit.