



TERMS OF REFERENCE EXPERT ADVISORY GROUP (EAG) ON DISCRIMINATION

1. BACKGROUND

Discrimination has no place in the College and its role in emergency medicine training and education.

The College recognises that discrimination can have a serious impact on those affected by it: it demeans the worth of individuals; it prevents our people from reaching their true potential; and it causes the loss of highly desirable talent from our profession. The College accepts its responsibility to eliminate discrimination in its processes. Recent media has suggested that aspects of the College's examinations processes may have discriminatory impacts and outcomes

The College acknowledges receipt of detailed submissions from some trainees in relation to the conduct of the most recent Fellowship Clinical Examinations (OSCE) ("2016 OSCE"), which contain detailed allegations of discrimination and bias. Those submissions deserve careful review and investigation, and an appropriate response to any actual or perceived discrimination or bias.

The College is therefore establishing an Expert Advisory Group (EAG) to assess and advise on these concerns. The EAG has a broad remit of assessing discrimination in relation to College assessments, as well as any other College activities, as it relates to the College, its Fellows, trainees and IMGs, with particular reference to the 2016 OSCE and associated outcomes. The EAG will advise the College on its role, policies and processes and advocacy in relation to discrimination, and will evaluate the complaint received in relation to the 2016.2 OSCE.

2. COMPOSITION

The EAG will be chaired by Dr Helen Szoke, formerly Victorian Equal Opportunity and Human Rights Commissioner and federal Race Discrimination Commissioner with the Australian Human Rights Commission.

The Deputy Chair will be Professor Ron Paterson, former New Zealand Health and Disability Complaints Commissioner and New Zealand Parliamentary Ombudsman.

Other members of the EAG include:

- Professor Kichu Nair, Professor of Medicine and Associate Dean of Continuing Medical Education at the University of Newcastle, and Chair of the Workplace Based Assessment Committee at the Australian Medical Council;
- two (2) ACEM trainees nominated jointly by the current trainee member of the ACEM Board, Dr Naveed Aziez and the Chair of the ACEM Trainee Committee, Dr Jessica Forbes;
- a recently qualified ACEM Fellow who qualified for election to Fellowship following the passing of a Fellowship Clinical Examination (OSCE) held since the beginning of 2015, and whose primary medical education was obtained in a country other than Australia, New Zealand, the United Kingdom, Canada or the USA.
- two (2) members of the current ACEM Board, Dr Yusuf Nagree, the Chair of the ACEM Council of Advocacy, Policy and Partnerships (CAPP) and Dr Simon Judkins, President-Elect.

The EAG will be supported by senior staff of the College and externally appointed advisors in relation to specific matters where technical advice is required.

3. ROLE AND FUNCTIONS

The EAG will:

- 3.1. Consider the complaint submitted in relation to the 2016.2 Fellowship Clinical Examination and determine any remedy in relation to the complaint.
- 3.2. Undertake interviews and surveys, and review relevant literature, to understand the prevalence of discrimination in College assessments, including examinations.
- 3.3. Review College examinations (including policies, procedures and outcomes) to ensure they are not discriminatory and meet the expectations of internal and external stakeholders, including trainees, jurisdictions, and the public.
- 3.4. Recommend immediate, medium and long-term reforms, including in relation to structural arrangements, considered necessary to eliminate discrimination in College assessments.
- 3.5. Advise the College on appropriate professional development activities, including and relevant training for examiners and supervisors of training felt necessary to address issues of discrimination in College examinations and related processes.
- 3.6. Review the College's current initiatives and advocacy to prevent discrimination.
- 3.7. Ensure the College has an appropriate and robust complaints mechanism for discrimination, as well as a support program that is broadly available to Fellows and trainees, including IMGs undertaking the FACEM Training Program and SIMGs who have been assessed by the College as part of the processes conducted for the MBA and the MCNZ.
- 3.8. Review the College's Stakeholder and Communication strategies to respond to allegations of discrimination, to support trainees, Fellows and IMGs.
- 3.9. Establish a reporting framework where progress can be measured of the improvements in dealing with discrimination and in particular, in relation to College examination processes and procedures.

4. TIMEFRAME

To meet as required over a three month period and provide a final report / presentation to the College Board for consideration at its meeting scheduled for 19 June 2017, and, if more work is required, further reports as appropriate.