



Expert Advisory Group on Discrimination Action Plan

February 2018

1 Background

The Expert Advisory Group (EAG) on Discrimination was put in place by the Board of the Australasian College for Emergency Medicine (ACEM; the College) in February 2017 following the receipt of a complaint from an anonymous group of trainees undertaking the FACEM Training Program alleging that results of the 2016.2 Fellowship Clinical Examination (OSCE) indicated that the examination was racially biased and seeking remedies, including the adjustment of examination scores to take account of that bias.

The Terms of Reference (ToRs) of the EAG are provided as **Appendix A** of this document, and include the composition and membership of the EAG. The EAG was Chaired by Dr Helen Szoke, CEO of Oxfam, former Australian Race Discrimination Commissioner and Commissioner with the Victorian Equal Opportunity and Human Rights Commission. The Deputy Chair of the EAG was Professor Ron Paterson, Professor of Law at the University of Auckland and Distinguished Visiting fellow at the University of Melbourne. Professor Paterson is a former New Zealand Parliamentary Ombudsman and New Zealand Health and Disability Commissioner.

The EAG issued an Interim Report in July 2017, followed by a Final Report in October 2017. The Final Report was informed by work conducted by Professor Liz Farmer on the international literature relating to high stakes medical assessment of International Medical graduates (IMGs) and Professor Lambert Schuwirth in relation to an analysis of the 2016.2 OSCE for the existence of any evidence for racial bias.

The Final Report contained a total of 11 recommendations in relation to *remedies for the complainants* (s3.47 to s3.49, inclusive, of the Final Report) and 49 recommendations in relation to a range of areas (s8.1 to s8.39, inclusive of the Final Report). The Final Report was considered by the ACEM Board at its meeting of 9 October 2017, with the meeting attended by Professor Paterson to enable discussion of the Report with the Board.

The Foreword to the Report by Dr Szoke is provided as **Appendix B** to this Action Plan, with the response from the then College President, Professor Anthony Lawler, provided as **Appendix C**.

2 Overview

The recommendations contained within the Final Report of the EAG go to the heart of the College's examination processes, acknowledging the complexity of the issues that are associated with the complaint received and the role that 'legacy' issues have played in enabling the circumstances that were in existence in regard to the OSCE and other examinations during the period in question. Some of these issues span many years (e.g. the relatively deregulated approach to entry to FACEM training), while others span shorter periods (e.g. factors involved in the implementation of the revised FACEM Training Program in late 2014/early 2015, which included the implementation of a significant program of Workplace-Based Assessment (WBA)).

The recommendations also relate to 'cultural' issues, a number of which will be addressed through the responses contained in this document, as well as responses described in the Action Plan associated with the wider College project relating to Discrimination, Bullying and Sexual Harassment (DBSH) in the practice of emergency medicine in Australia and New Zealand. The College is grateful that the EAG Final Report acknowledges ACEM has undertaken continuous improvement measures since the initial receipt of the complaint, including improvements to the OSCE process, as well as initiation of the DBSH project and its activities.

As the name implies, the purpose of this document is to act as an Action Plan by responding to all sixty (60) recommendations contained in the Final Report of the EAG. It acknowledges the issues identified by the EAG as contributing to the need for the complainants to raise the matters in the manner that they did, and commits the College to a program that will result in the College's assessment processes being conducted on as optimal a basis as is possible, and the College continuing to make clear through demonstrable actions its previously stated position that discrimination, bullying and harassment of any type has no place in the practise of emergency medicine or in the education and training of medical practitioners involved in the delivery of emergency medical care.

It is a document that has the full support of the ACEM Board and its implementation will be actively monitored by the ACEM Board. The Board recognises that this document and its recommendations provide further support for the direction of the College that has been taken since the middle of 2015 and which has seen an increasing awareness of the role and responsibilities of the College, the expectations of the College by external stakeholders, and a recognition of the need for the College to mature as an organisation particularly in relation to the way in which its core activities are conducted. As such, the Board and members of the two College Councils recognise, individually and collectively, their role in ensuring that the Actions described are implemented as fully as possible, as well as their responsibilities in ensuring that any of their associated entities do so also in a manner that demonstrates this awareness.

On behalf of the ACEM Board I echo the words of the Immediate Past President, Professor Lawler in recognising that some trainees have been deeply affected by their experiences and apologise for the adverse impacts this had has on their lives. The College has always been, and will continue to be, driven by a desire to provide safe, high quality training to medical practitioners to equip them to provide safe, high quality emergency medical care to the populations of Australia and New Zealand. The work of the EAG provides an opportunity to focus on the work that needs to be done to ensure we meet this commitment and I commit myself and the members and staff of ACEM to achieving the actions outlined in this document.



A handwritten signature in black ink, appearing to read 'Simon Judkins', written in a cursive style.

Dr Simon Judkins
President
Australasian College for Emergency Medicine

3 Recommendations and College Response / Action

Recommended Remedies for the Complainants

3.47.1	An apology from the College for the unintended systemic racial discrimination associated with introduction of the Fellowship OSCE in 2015 and for the inadequate feedback they received on their OSCE results.	Board Response	Recommendation endorsed
Action 3.47.1(i)	Public announcement by the President on the release of the EAG Final Report, repeated by the President at the 2017 ASM in Sydney, with the apology referenced in initial response to the complainants' legal representative.	Responsible entities	ACEM Board
Action 3.47.1(ii)	Apology to be reiterated upon release of this Action Plan and directly referenced on the College website.	Responsible entities	ACEM Board
		Timeframe	February 2018
3.47.2	An offer from the College to refund examination fees for the 2016.2 OSCE to the affected complainants.	Board Response	Recommendation supported in principle, with implementation to be progressed in line with Action 3.48 and 3.49.
Action 3.47.2	Candidates who failed the 2016.2 OSCE to be afforded a refund of that examination fee.	Responsible entities	ACEM Board, Office of the CEO
		Timeframe	Communications and administrative processes in place for the processing of applications to sit the 2018.1 OSCE.
3.47.3	To aid those contemplating a further attempt at the OSCE:	Board Response	Recommendation endorsed; extension of 12 calendar months to be granted.
Action 3.47.3(a)	(a) extend the time for completion of training, particularly for those who are nearly time expired;	Responsible entities	STAC, PFRC, COE
	Trainees who failed the 2016.2 OSCE to be granted an additional 12 calendar months to the timeframe available for either the completion of the Advanced Training component of FACEM training or the timeframe available for the completion of all requirements of the FACEM Training Program (as applicable).	Timeframe	Communications and administrative processes in place for March 2018.

	<p>(b) provide tailored/structured formative feedback on past examination attempts, to the extent that it is able to;</p>	<p>Board Response</p>	<p>Recommendation accepted in principle; however, no ability to provide enhanced retrospective feedback on past attempts. The OSCE feedback now provided as a matter of course is significantly enhanced, both in absolute terms, as well as relative to that available for the 2016.2 examination. Refer also Recommendations 8.22 and 8.23 (below).</p>
<p>Action 3.47.3(b)</p>	<p>Feedback provided as a matter of course for the OSCE to be monitored and reviewed to ensure relevant, meaningful and graduated feedback to candidates.</p>	<p>Responsible entities</p>	<p>COE</p>
		<p>Timeframe</p>	<p>Communications and administrative processes in place for 2018.1 OSCE.</p>
	<p>(c) offer a College run/endorsed OSCE preparation training, including examination psychology preparation;</p>	<p>Board Response</p>	<p>Recommendation supported in principle; possible implementation to be considered by COE.</p>
<p>Action 3.47.3(c)(i)</p>	<p>COE to consider offering increased support to training sites coordinating trial OSCEs to better ensure quality with OSCE preparation of trainees, or the provision of College-run trial OSCEs on a Regional basis utilising ACEM resources to ensure they meet the requirements associated with the Fellowship Clinical Examination in terms of governance, structure and conduct. In considering both mechanisms, COE must also include providing preparatory sessions to individuals functioning as ‘examiners’ in the trial examinations.</p>	<p>Responsible entities</p>	<p>COE</p>
		<p>Timeframe</p>	<p>Recommendations to COE for consideration by mid-2018, followed by implementation for 2019.1 OSCE.</p>
<p>Action 3.47.3(c)(ii)</p>	<p>Availability of courses relating to ‘examination psychology preparation’ to be ascertained and recommendations to be considered by COE in relation to the most practical manner in which these may be offered to and accessed by trainees; e.g. whether as part of trial examinations, or as separate outsourced workshops on a Regional or central basis.</p>	<p>Responsible entities</p>	<p>STAC, COE</p>
		<p>Timeframe</p>	<p>Recommendations by STAC to COE for consideration by mid-2018, followed by implementation for 2019.1 OSCE.</p>
	<p>(d) consider videotaping subsequent attempts and providing feedback using video footage; and</p>	<p>Board Response</p>	<p>Recommendation supported in principle; consideration to be given to feasibility of implementation.</p>
<p>Action 3.47.3(d)</p>	<p>COE to consider the role of the use of examination recording in feedback to examination candidates in the context of the maximum of three attempts available at the examination from 2018. Consideration to encompass all aspects of possible use, including those such as cost, legal issues (e.g. privacy, consent) and use of footage in the context of examination results (borderline candidates), feedback and review.</p>	<p>Responsible entities</p>	<p>ESC, COE</p>
		<p>Timeframe</p>	<p>Recommendations to COE for consideration by mid-2018.</p>
	<p>(e) allow extension of time for formal requests for review and/or appeal from complainants, notwithstanding that time limits may have expired.</p>	<p>Board Response</p>	<p>Recommendation not accepted; decisions on examination results and remarking not open to review or appeal under the Reconsideration, Review and Appeal Policy. No action arising.</p>

3.47.4	To aid those contemplating leaving or who have left the training program: (a) provide career counselling; and	Board Response	Recommendation endorsed.
Action 3.47.4(a)(i)	Mechanism by which trainees who failed the 2016.2 OSCE and have left the FACEM Training Program are to be afforded the opportunity to discuss future work options with designated individuals and one-off external career counselling with designated provider(s) to be investigated and considered by STAC, and recommended to COE for approval.	Responsible entities	STAC, COE
		Timeframe	STAC to submit recommendations to COE for consideration by mid-2018.
Action 3.47.4(a)(ii)	Opportunity to discuss future work options with designated individuals and one-off external career counselling with designated provider(s) as approved by COE to be made available to trainees who failed the 2016.2 OSCE and have left the FACEM Training Program.	Responsible entities	STAC, COE
		Timeframe	Completed by 1 January 2019.
	(b) offer the pathway to qualification for Diploma in Emergency Medicine through recognition of prior learning pursuant to the applicable College policy.	Board Response	Recommendation endorsed; pathway implemented in 2017.
Action 3.47.4(b)(i)	Pathways to EMC and EMD to be publicised through ACEM channels.	Responsible entities	STAC, COE
		Timeframe	Processes to be in place, publicised and operational by time of release of this document.
3.48	The anonymity of the complainant group and imprecise characterisation of the affected cohort has made recommending suitable remedies for the complainants challenging. Accessing the above remedies will inevitably require the complainants to identify themselves to the College as having been affected by the 2016.2 OSCE. The EAG expects the College to facilitate access to these remedies confidentially and that the individuals who choose to access the remedies will not be subject to any resulting discrimination or victimisation.	Board Response	Recommendation endorsed; refer Board Response to Recommendation 3.49 (below).
3.49	Although the complainants are a smaller group, they are representative of trainees impacted by the College's transition to the Fellowship OSCE. Accordingly, the EAG suggests that the College consider extending the remedies proposed for the complainants to all affected candidates from the 2016.2 OSCE.	Board Response	Recommendation endorsed; adopted where applicable in individual Actions.
Action 3.49	Remedies as set out in this document to be offered to all who failed the 2016.2 OSCE, rather than simply the complainants.	Responsible entities	ACEM Board, COE
		Timeframe	Processes to be in place by time of release of this document.

Recommendations Dealing with Legacy Issues

8.6.1	Reviewing the requirements and selection criteria (already underway) for entry into the FACEM Training Program.	Board Response	Recommendation endorsed; selection into FACEM Training (SIFT) process developed and to commence in 2018 for entry to the training program in 2019.
Action 8.6.1	Selection into FACEM Training (SIFT) processes to be in place, publicised to all trainees and operational to enable selection of trainees in 2018 for entry to the FACEM Training Program in 2019.	Responsible entities	STAC, COE
		Timeframe	Completed, with ongoing monitoring.
8.6.2	Consider what support or alternative options to an award of Fellowship could be made available to trainees coming to the end of their training term and who are unlikely to satisfactorily complete their training or demonstrate they are at the standard required to become a FACEM.	Board Response	Recommendation endorsed; refer to Recommendation 3.47.4 (above).

Recommendations Aimed at Continuous Improvement of the Examination Processes

Conduct of the examination

8.10	The standard required for a pass (i.e. 'just at standard') in every station should be clearly articulated prior to the examination being undertaken. This will require the marking criteria for each domain tested at each station discussed at the outset of calibration (and documented whether by check list or an agreed and documented standard) in order for examiners to consistently apply the standard to marking throughout the duration of the examination. This should extend to all domains, not just medical expertise, with priority given to standardising an agreed standard expected in the domains of communication, leadership and management, and scholarship and teaching.	Board Response	Recommendation endorsed; much work has been done in relation to development of policy and processes, and these must be completed and implemented.
Action 8.10	Policy and processes for setting the standard required for a pass in every station and each domain to be developed, documented, implemented and publicised.	Responsible entities	ESC, COE
		Timeframe	By and for 2018.2 OSCE

8.11	Where possible, utilise/expand the use of multiple examiners to increase the number of observations to re-establish the integrity and validity of examinations with external stakeholders.	Board Response	Recommendation endorsed; number of examiners present at examinations has increased, as well as use of Peer Support Examiner(s) (PSEs) as 'back-up' where an examiner(s) is unable to attend at short notice.
Action 8.11(i)	Issue of multiple examiners to be fully considered by ESC and recommendations forwarded to COE by April 2018. Considerations must include literature base regarding effect(s) on reliability and feasibility. As with Action 3.47.3(d) above, to enable the preparation of a College Budget for the 2018 – 2019 Financial Year, this must involve a consideration of the cost of running the OSCE and the fees to be charged to candidates per examination in order for the College's examinations to be affordable for candidates and economically viable for the College.	Responsible entities	ESC, COE
		Timeframe	Completed by end of April 2018.
Action 8.11(ii)	Modifications to use of multiple examiners, PSEs and other mechanisms as approved by COE and appropriately budgeted to be documented, publicised and implemented.	Responsible entities	ESC, COE
		Timeframe	Not later than 2019.1 OSCE.
8.12	Continue to progress the work being undertaken in relation to recording the examination and explore how it can be best used to reasonably and practicably facilitate reviews of borderline fails, support feedback to unsuccessful candidates, and examination auditing and training purposes.	Board Response	Recommendation supported in principle; refer Recommendations 3.47.3(d) and 8.11 (above).
8.13	Implement a process whereby candidates can provide feedback on examiners, confederates and actors, noting that such a process should not be disclosed to examiners until marks are received and collated. Feedback sought should also elicit commentary and suggestions for improvement of the process overall.	Board Response	Recommendation endorsed; implemented in 2017, with the efficacy of the processes to be evaluated and improvements considered over time in line with the <i>Quality Evaluation Framework</i> applicable to all ACEM educational activities.
Action 8.13(i)	Policy and processes associated with the OSCE candidate survey to be documented and available/publicised as necessary.	Responsible entities	ESC, COE
		Timeframe	Policy and processes to be approved, in place, documented/publicised as necessary by and for 2018.2 OSCE.
Action 8.13(ii)	Efficacy of and improvements to the OSCE candidate survey to be routinely monitored and reviewed, and evaluated in line with the <i>Quality Evaluation Framework</i> applicable to all ACEM educational activities.	Responsible entities	ESC, COE
		Timeframe	Ongoing

8.14	Explore ways to develop a more diverse group of examiner and confederate backgrounds and apply these various examiner and confederate demographics (e.g. male/female, Caucasian/non-Caucasian, local graduates/IMGs, older clinicians/younger clinicians) as fairly as possible across OSCE administrations. This may necessitate a review of the terms of reference of the Court of Examiners and any associated policy(ies).	Board Response	Recommendation supported in principle; accomplishment subject to demographics of those that apply and those participating in any given OSCE.
Action 8.14(i)	Terms of Reference of the Court of Examiners to be reviewed, with a particular focus on eligibility criteria, tenure, formative and summative performance assessment and commitment to ongoing examiner training.	Responsible entities	ESC, COE
		Timeframe	Recommendations to be made by ESC and approved by COE by April 2018.
Action 8.14(ii)	Development of a process that enables an audit of members of the Court of Examiners to be conducted in line with the revised Terms of Reference in time for call(s) for applications of new examiners for 2019.	Responsible entities	ESC, COE
		Timeframe	Second half of 2018 ahead of a call for examiner applications for 2019.
Action 8.14(iii)	Development and implementation of a policy and associated processes regarding the selection, ongoing training and appraisal of OSCE confederates in order to enable availability/participation of a greater diversity of confederate cohort in any given OSCE.	Responsible entities	ESC, COE
		Timeframe	Prior to the end of 2018 for implementation in 2019.
8.15	Ensure that all examiners and simulated patients/actors have cultural diversity training.	Board Response	Recommendation endorsed; work already underway. COE to consider feasibility and cost of proposed mechanism(s), which may include on-line resources, face-to-face training, or a combination of these.
Action 8.15(i)	Processes by which cultural diversity training for examiners, confederates and simulated patients/actors can be implemented to be developed, having regard to considerations of feasibility and cost, and documented.	Responsible entities	ESC, COE
		Timeframe	Recommendations to COE for consideration by mid-2018.
Action 8.15(ii)	Cultural diversity training, as approved by COE, to be implemented for all examiners, confederates and simulated patients/actors.	Responsible entities	ESC, COE
		Timeframe	Not later than 2018.2 OSCE
8.16	Ensure that all examiners and simulated patients/actors have robust and regular calibration.	Board Response	Recommendation endorsed; acknowledging that simulated patients/actors involved vary with each examination held. COE to consider factors such as feasibility and cost in determining the processes by which calibration is to be conducted.
Action 8.16(i)	Processes by which all examiners undertake robust and regular calibration to be developed by ESC and recommended to COE for adoption.	Responsible entities	ESC, COE
		Timeframe	Recommendations to COE for consideration by mid-2018.

Action 8.16(ii)	Processes by which all confederates and simulated patients/actors undertake robust and regular calibration to be developed by ESC and recommended to COE for adoption.	Responsible entities	ESC, COE
		Timeframe	Recommendations to COE for consideration by mid-2018.
Action 8.16(iii)	Regular and robust calibration, as approved by COE, to be implemented for all examiners, confederates and simulated patients/actors.	Responsible entities	ESC, COE
		Timeframe	Implementation with 2018.2 OSCE.
8.17	Examiners should continue to receive regular feedback on their performance, including marking performance and feedback provided through candidate review forms.	Board Response	Recommendation endorsed in relation to marking performance and College feedback, and accepted in principle in relation to feedback provided through candidate review forms. The need to ensure a robust approach that is part of standard processes and holds examiners accountable is strongly supported.
Action 8.17(i)	External expert advice to be obtained in order to ensure a robust approach to the provision of feedback to examiners on their performance, including marking performance, is developed and recommended for adoption.	Responsible entities	COE
		Timeframe	To enable timeframe for Action 8.17(ii) (below).
Action 8.17(ii)	Informed by external expert advice, policy and modified processes for providing routine and regular feedback to examiners on their performance, including marking performance, to be developed for the consideration and approval of COE.	Responsible entities	ESC
		Timeframe	Recommendations to COE for consideration by May 2018.
Action 8.17(iii)	Modified feedback to examiners on their performance, including marking performance, as approved by COE, to be implemented for all examiners.	Responsible entities	ESC, COE
		Timeframe	Implemented for 2018.2 OSCE.
8.18	In relation to scoring and adjustment of scoring in examinations, ensure that there is appropriate standard setting and ensure great transparency is utilised in publishing examination pass/fail statistics, including in relation to specific domains, publishing sample questions and answers, and providing examination candidates with an overview of the stations and domains to be tested, including spread of marks for relevant domains.	Board Response	Recommendation supported in principle; current standard setting for OSCE is based on accepted methodology and underpinned by robust, defensible processes. Considerable work has been done in relation to providing candidates and others with examination information and statistics. Refer also Recommendation 8.10 (above).
Action 8.18(i)	Information regarding the accepted and robust standard setting processes, including the application of one (1) Standard Error of Measurement (SEM), employed by the College to be further publicised to trainees and College members.	Responsible entities	ESC, COE
		Timeframe	For 2018.1 OSCE.
Action 8.18(ii)	Formal examination reports that cover the information referred to above to continue to be produced and promulgated as a matter of course, with ongoing monitoring and review in order for improvements to be considered and introduced as necessary.	Responsible entities	ESC, COE
		Timeframe	Ongoing

Action 8.18(iii)	Materials (complete set: candidate information, role player instructions, mark sheet, etc.) for two (2) OSCE station materials utilised in examinations during a calendar year to be released and published on the College website on an annual basis.	Responsible entities	ESC, COE
		Timeframe	Selected OSCE station materials to be published not later than 31 December each year.

Support for examiners

8.19	Provide examiners with structured training and support on:		
	1. cultural awareness and unconscious bias in examination marking;	Board Response	Recommendation endorsed; UK requirement of compulsory half-day training, repeated at defined intervals, understood to be at least five (5) yearly, to be considered. Refer also Recommendation 8.15 (above).
Action 8.19.1(i)	Cultural awareness and unconscious bias included as part of the OSCE 'examiner briefing'.	Responsible entities	ESC, COE
		Timeframe	Completed; ongoing monitoring.
Action 8.19.1(ii)	Training in cultural awareness and unconscious bias, and the requirements of this training to be reviewed to ensure confidence that appropriate levels of knowledge and awareness are possessed by all examiners throughout the period of their appointment.	Responsible entities	ESC, COE
		Timeframe	Recommendations to COE for consideration by mid-2018, for implementation with 2018.2 OSCE.
	2. how to conduct calibration of 'just at standard' for assessing domains; and	Board Response	Recommendation endorsed. Refer also Recommendation 8.10 (above).
Action 8.19.2	Resources and processes to enable calibration of 'just at standard' for assessed domains to be developed, documented and implemented.	Responsible entities	ESC, COE
		Timeframe	Recommendations to COE for consideration by mid-2018, for implementation with 2018.2 OSCE.
	3. examiner performance.	Board Response	Recommendation endorsed; refer Recommendation 8.17 (above).
Action 8.19.3	Examiner training and orientation to incorporate Recommendations 8.13, 8.17 and 8.19.2.	Responsible entities	ESC, COE
		Timeframe	Recommendations to COE for consideration by mid-2018, for implementation with 2018.2 OSCE.

Trainee preparation

8.20	Consider development and implementation or contracting of a training program to assist trainees who have experienced difficulties with the Fellowship Examinations to acquire experience in preparation for and performance in OSCEs.	Board Response	Recommendation endorsed; refer also Recommendation 3.47.4 (above). Refer Recommendation 3.47.3(c) (above) and consider evaluation of programs, such as examination preparation programs currently available through a range of providers, together with consideration of feasibility and associated costs.
Action 8.20(i)	Examination preparation programs currently available through a range of providers to be evaluated for possible utilisation by the College, including due consideration of feasibility and associated costs.	Responsible entities	STAC, COE
		Timeframe	Recommendations to COE for consideration by mid-2018.
Action 8.20(ii)	Examination preparation program(s), as approved by COE, to be implemented for trainees experiencing difficulties with passing the OSCE.	Responsible entities	STAC, COE
		Timeframe	For 2019.1 OSCE.
8.21	Provide trainees with resources for training preparation in each domain.	Board Response	Recommendation endorsed; work in this area has already commenced. Outcomes are clearly described in the <i>ACEM Curriculum Framework</i> and now closely linked to revised ITAs.
Action 8.21(i)	Resources, to assist trainee preparation in relation to each domain of the <i>ACEM Curriculum Framework</i> to be developed.	Responsible entities	STAC, COE
		Timeframe	Recommendations to COE for consideration by mid-2018 and implemented by 2019.1 OSCE.
Action 8.21(ii)	Resources that explain what the OSCE is intended to assess, compared to ITAs and other WBAs, and with reference to the <i>ACEM Curriculum Framework</i> , to be developed.	Responsible entities	STAC, COE
		Timeframe	Completed for 2018.2 OSCE.
Action 8.21(iii)	Revised ITAs and other WBAs to be appropriately leveraged to ensure value-adding to these assessments through assistance to trainees at local level where specific issues identified.	Responsible entities	STAC, COE
		Timeframe	Completion as part of FACEM Training Program review.

Examination feedback

8.22	The objective of feedback should be to assist unsuccessful candidates to understand their specific areas of underperformance, why they were assessed as below standard and to identify areas for improvement.	Board Response	Recommendation endorsed; feedback now provided in this format. Refer also Recommendation 3.47.3(b) (above).
8.23	Feedback provided should meet acceptable standards (consider UK Academy of Royal Medical Colleges – Guidance in Standards for Candidates Feedback Nov 2015).	Board Response	Recommendation endorsed; College confident that feedback now meets the standard(s) in question.
8.24	Return to publishing all examination reports with details of station contents and commentary on candidate performance, to enable unsuccessful candidates to understand how they performed in comparison to other candidates attempting the same OSCE.	Board Response	Recommendation endorsed; implemented in 2017.
Action 8.24	Content of examination reports to be periodically reviewed to ensure recommendation continues to be met while balancing information released and the ability to bank and re-use stations following development and analysis of station performance.	Responsible entities	ESC, COE
		Timeframe	Ongoing
8.25	Consider releasing past examinations to current and prospective candidates with expected answers and mark breakdown in order to assist trainees in their preparation.	Board Response	Recommendation supported in principle; refer Recommendation 8.18 (above).

Review of results

8.26.1	Beyond the standard reliability and psychometric assessments, the College consider periodical audits of examination results in terms of: (a) comparison of station/examiner marks for Group A and Group B to monitor ongoing issues;	Board Response	Recommendation endorsed; implemented in 2017.
Action 8.26.1(a)	Comparison of station/examiner marks for Group A and Group B candidates to continue to be undertaken and published as a matter of course, with ongoing review of outcomes	Responsible entities	ESC, COE
		Timeframe	Ongoing
	(b) the extent of correlation between candidate examination results against WBAs; and		Recommendation to be considered in the context of feasibility and likelihood of correlation, given difference in that which is assessed by WBAs and an OSCE.
Action 8.26.1(b)(i)	Mechanism(s) available to enable periodical audit of extent of correlation between candidate examination results against WBAs to be investigated, with external expertise to be engaged if required.	Responsible entities	ESC, COE
		Timeframe	Report to COE by mid-2018.

Action 8.26.1(b)(ii)	Subject to availability, mechanism(s) to enable periodical audit of extent of correlation between candidate examination results against WBAs, to be evaluated for possible implementation, including consideration of feasibility of cost.	Responsible entities	COE
		Timeframe	By early 2019
	(c) to assess both the quality of the examination process and the training program and various assessments.	Board Response	Recommendation supported in principle; requirement is mandated through AMC/MCNZ accreditation standards. Mechanisms in place through ACEM Education and Training Quality Framework.
Action 8.26.1(c)	Changes to be incorporated if and as recommended through the Reaccreditation Report due April 2018.	Responsible entities	COE
		Timeframe	Draft Report scheduled April 2018; proposals for consideration by mid-2018.
8.26.2	Consider implementation of automatic trigger for review of marks where a candidate is identified as a borderline fail.	Board Response	Recommendation supported in principle; review of marks to occur where a candidate is within one (1) SEM.
Action 8.26.2	Mechanism(s) to facilitate review of marks for candidates within one (1) SEM of the examination Pass Mark to be evaluated, having regard to considerations of feasibility, cost and timeframe, for consideration by COE and implementation if/as determined.	Responsible entities	ESC, COE
		Timeframe	Recommendations to COE for consideration by mid-2018, with implementation of an agreed policy/process by 2019.1 OSCE.
Associated college processes			
8.28	The EAG found that while the Reconsideration, Review and Appeals Policy is in place, it is not examination specific and, as such, does not clearly articulate what applicants can expect from a review. The EAG recommends the policy be reviewed and revised to ensure it clearly described the parameters of review for examination candidates, its limitations and that such an avenue cannot lead to a change in results.	Board Response	Recommendation endorsed; work to also incorporate <i>Exceptional Circumstances and Special Consideration Policy</i> .
Action 8.28(i)	Amendments to the <i>Reconsideration, Review and Appeals Policy</i> and <i>Exceptional Circumstances and Special Consideration Policy</i> to be developed by the CEO and Executive Director of Education and Training in relation to specific requirements, with Governance Committee to recommend amendments for consideration and approval by the Board.	Responsible entities	Governance Committee, Board
		Timeframe	Revised policies to be implemented for 2018.1 OSCE.
Action 8.28(ii)	Purpose and applicability of revised <i>Reconsideration, Review and Appeals Policy</i> and <i>Exceptional Circumstances and Special Consideration Policy</i> to be communicated extensively to trainees and the wider ACEM community.	Responsible entities	COE, Board
		Timeframe	For 2018.1 OSCE

8.29.1	Increase trainee diversity and new FACEM participation in ACEM decision-making, including encouraging trainees who have not previously been involved to participate.	Board Response	Recommendation supported in principle; subject to willingness of applicable individuals to become involved. Overlap with diversity recommendations in the wider DBSH Action Plan acknowledged.
Action 8.29.1(i)	Communication of available opportunities to emphasise avenues such as the Trainee Committee, Regional Faculties and the meetings of 'new' Fellows.	Responsible entities	CAPP, COE, Board
		Timeframe	Through 2018, cognisant of program of entity appointments, nominations and elections.
Action 8.29.1(ii)	Terms of Reference and Position Descriptions to be reviewed to remove restrictive eligibility requirements and encourage involvement of trainees and new FACEMs.	Responsible entities	CAPP, COE, Board
		Timeframe	Through 2018, cognisant of program of entity appointments, nominations and elections.
8.29.2	Increase cultural awareness and cultural diversity within formal College positions and decision-making roles.	Board Response	Recommendation endorsed; <i>Policy on College Entities</i> recently revised to ensure expectation of appropriate diversity of membership composition (e.g. cultural, gender) and applied to 2017 'spill' of membership of COE entities.
Action 8.29.2(i)	Entity composition to be monitored to ensure appropriate diversity of membership composition.	Responsible entities	CAPP, COE, Board
		Timeframe	Ongoing
Action 8.29.2(ii)	Completion of cultural awareness/cultural diversity education for all members of ACEM entities to be implemented, with relevant policy(ies)/regulations to be developed/ revised as required. Refer also Recommendation 8.15 and 8.29.1 (above).	Responsible entities	CAPP, COE, Board
		Timeframe	Through 2018 and ongoing, cognisant of program of entity appointments, nominations and elections..
8.29.3	Review governance mechanisms in the context of the current College examiners, including training and currency of clinical practice.	Board Response	Recommendation supported in principle; refer also Recommendation 8.14 (above).
Action 8.29.3(i)	Audit of current Court of Examiners in relation to tenure of appointment and current clinical practice.	Responsible entities	ESC, COE
		Timeframe	First quarter of 2018
Action 8.29.3(ii)	Role, position description and tenure of Peer Support Examiners and the Lead Examiner in terms of the purpose of the roles and the overall effectiveness of providing genuine leadership to the Court of Examiners to be reviewed.	Responsible entities	COE
		Timeframe	First quarter of 2018

Complaints Policy

8.31	The College should review its Complaints Policy as it currently has limited application and utility – to ensure the process is transparent, adequately acknowledges potential outcomes and resolution processes, and accords with best practice.	Board Response	Recommendation endorsed; overlap with the wider DBSH Action Plan acknowledged.
Action 8.31	<i>Complaints Policy</i> to be reviewed and revised.	Responsible entities	Office of the CEO, Governance Committee, Board
		Timeframe	First quarter of 2018
8.32	The review should consider how the policy applies and can be utilised by complainants to achieve an outcome. It should also look at the transparency of the policy, including the possible outcomes of a complaint and the general complaints process.	Board Response	Recommendation endorsed; overlap with wider DBSH Action Plan acknowledged.
Action 8.32	Review of <i>Complaints Policy</i> to include consideration of its application and utilisation by complainants to achieve an outcome, and transparency of the complaints process and possible outcomes.	Responsible entities	Office of the CEO, Governance Committee, Board
		Timeframe	First quarter of 2018
8.33	The College should consider outsourcing handling of the whistleblowers framework to an independent third party, to ensure whistleblower protections are implemented and to reduce concerns about retribution.	Board Response	Recommendation endorsed; overlap with wider DBSH Action Plan acknowledged.
Action 8.33(i)	Outsourcing of handling of whistleblower framework to be investigated, informed by considerations of aspects such as feasibility, and recommendations forwarded to the Board.	Responsible entities	Office of the CEO, Governance Committee, Board
		Timeframe	First half of 2018
Action 8.33(ii)	Depending on Action 8.33(i) (above), outsourced handling of whistleblower framework, as approved by the Board, to be implemented.	Responsible entities	Office of the CEO, Board
		Timeframe	Third quarter of 2018
Action 8.33(iii)	Depending on Actions 8.33(i) and 8.33(ii) (above), outsourced handling of whistleblower framework to be publicised to trainees and the wider College membership.	Responsible entities	Office of the CEO, Board
		Timeframe	Third quarter of 2018

In-Training Assessments and Workplace-Based Assessments

8.34.1	Consider utilising the WBA and ITA process as a method to determine preparedness to undertake the Fellowship examinations, including whether formal feedback meetings ought to be held with candidates to provide feedback on their preparedness.	Board Response	Recommendation supported in principle; role of DEMENT is to discuss the preparedness of a trainee to sit the OSCE, rather than to assess whether a trainee will pass the OSCE.
Action 8.34.1(i)	ITA for Advanced Training Stage 3 (AT3) to be revised include statement (tick-box completion) as to whether preparedness to sit the OSCE has been discussed by the DEMENT and trainee in the period covered by the ITA.	Responsible entities	COE
		Timeframe	First quarter of 2018

Action 8.34.1(ii)	Possible development of a 'preparedness to sit check-list' to be considered, having regard to a range of matters including utility to trainees, feasibility for DEMENT involvement, training in its use, future requirements regarding examination eligibility (from 2019 intake).	Responsible entities	COE
		Timeframe	Third quarter of 2018
8.34.2	Give trainees the option of a support person when they receive feedback on WBAs.	Board Response	Recommendation not accepted; in principle support for the option of a support person for ITA discussion.
Action 8.34.2(i)	Documented process/guidelines regarding the involvement of a support person for trainees when discussing an ITA with their DEMENT to be developed, having regard to the mechanisms by which a support person might participate (e.g. in person, telephone, other electronic means), not unnecessarily delaying the scheduling of a meeting and other related considerations.	Responsible entities	STAC, COE
		Timeframe	Recommendations to COE for consideration by April 2018.
Action 8.34.2(ii)	Documented process/guidelines regarding the involvement of a support person for trainees when discussing an ITA with their DEMENT to be communicated to trainees, DEMENTs and more broadly once approved.	Responsible entities	STAC, COE
		Timeframe	Not later than mid-2018
8.34.3	Ensure that outcomes are discussed with each trainee by their DEMENT to ensure feedback is provided.	Board Response	Recommendation endorsed; revised ITAs focus more clearly on outcomes by domain for level of training, and include a requirement for discussion between each trainee and their DEMENT.
Action 8.34.3	Written report on the revised ITAs and their implementation to be provided by COE for the information of the Board.	Responsible entities	COE, Board
		Timeframe	April 2018
8.34.4	Review feedback mechanisms, particularly following WBAs and explicit feedback on areas for improvement.	Board Response	Recommendation endorsed; work already underway.
Action 8.34.4	STAC to review feedback mechanisms and document/forward necessary revisions to COE for consideration, followed by promulgation.	Responsible entities	STAC, COE
		Timeframe	First half 2018
8.34.5	Consider ways to alleviate conflict between WBAs and workforce considerations including the need for greater transparency in these processes.	Board Response	Recommendation supported in principle; recognised that service provision and access targets can conflict with training and assessment (e.g. WBA, feedback).
Action 8.34.5	STAC and COE to consider mechanisms to alleviate tensions, including consideration of training site accreditation processes.	Responsible entities	STAC, COE, Board
		Timeframe	By end of 2018

In-training supervision

8.35.1	Develop and implement a process to support Advanced trainees who are struggling in the program, which identifies areas of improvement and how improvement can be achieved.	Board Response	Recommendation endorsed; policy, processes and available resources already in place.
Action 8.35.1	Policies, processes and resources available to trainees in difficulty to be communicated to trainees, DEMTs and more broadly, with STAC to confirm clear, stepwise process available to enable support for Advanced trainees in difficulty.	Responsible entities	STAC, COE
		Timeframe	First half 2018
8.35.2	Ensure that trainee employment exit interviews (i.e. when moving from one hospital to another) are conducted by a person other than the trainee's DMT and/or a member(s) of the Court of Examiners.	Board Response	Recommendation supported in principle. Recognised that employment exit interviews are a workplace matter; however, are supported as part of best practice from a training and education perspective.
Action 8.35.2	Statement supporting the practice of routine employment exit interviews, conducted by those without a direct conflict of interest (e.g. DMT, member of the Court of Examiners), to be developed and published.	Responsible entities	STAC, COE
		Timeframe	First half 2018
8.35.3	Implement a process whereby trainees can provide feedback on their supervisors and DEMTs.	Board Response	Recommendation endorsed; process exists through confidential trainee survey. Refer also Recommendations 8.29 to 8.33, inclusive (above).
8.35.4	Provide additional guidance and training for DEMTs and examiners on cultural awareness and diversity.	Board Response	Recommendation endorsed; work is already underway. Refer also Recommendations 8.19 and 8.29.2 (above). STAC and COE to consider requirements, including mandatory completion of assessing cultural competence e-learning modules and inclusion in DMT training workshops.
Action 8.35.4(i)	Arrangements to facilitate compulsory completion of assessing cultural competence e-learning modules by DEMTs and examiners to be finalised and implemented.	Responsible entities	STAC, COE
		Timeframe	First half of 2018
Action 8.35.4(ii)	DEMT training workshops to include cultural awareness and diversity training, with frequency at which attendance is required to be determined.	Responsible entities	STAC, COE
		Timeframe	First half of 2018

Support for trainees

8.36	Introduce a trainee mentoring program to assist all FACEM Training Program trainees throughout their training.	Board Response	Recommendation endorsed; Trainee Mentoring Program introduced in 2017 and incorporated as part of revised <i>Specialist Training Program Site Accreditation Requirements</i> for implementation in 2018.
Action 8.36	Expectations regarding uptake of Trainee Mentoring Program, incorporated as part of revised <i>Specialist Training Program Site Accreditation Requirements</i> , to be communicated to all trainees, DEMTs and more broadly.	Responsible entities	STAC, Accreditation Subcommittee, COE
		Timeframe	First half of 2018
8.37	Introduce an IMG trainee coordinator (either at the College or individual training hospitals) for a period of two years to provide trainees with assistance whilst other measures are being put in place to manage the cohort of trainees.	Board Response	Recommendation supported in principle; support for coordinator being at the College.
Action 8.37(i)	Executive Director of Education and Training and CEO to consider further, and outlined to COE and the ACEM Board.	Responsible entities	EDET, CEO, COE, Board
		Timeframe	First half of 2018
Action 8.37(ii)	IMG trainee coordinator role to be implemented.	Responsible entities	EDET, CEO
		Timeframe	First half of 2018
8.38	Encourage employers and support DEMTs to provide individualised training and support for trainees who are deficient in particular areas identified through ITAs or through OSCEs.	Board Response	Recommendation endorsed; <i>Policy on Supporting the Trainee in Difficulty</i> released in 2017, and work undertaken. Refer also Recommendations 8.21, 8.34, 8.35.1, 8.36 and 8.37 (above).
Action 8.38	Expectations, policies and processes relevant to <i>Policy on Supporting the Trainee in Difficulty</i> to be communicated to trainees and DEMTs.	Responsible entities	STAC, COE
		Timeframe	First half of 2018

Culture of the College

8.39.1	The College take greater leadership in denouncing and responding to discrimination where this occurs in the context of the FACEM Training Program.	Board Response	Recommendation endorsed; forms part of wider DBSH Action Plan.
8.39.2	The College work with FACEMs to ensure there is an effective and consistent approach to addressing discrimination, bullying and sexual harassment and ensure that it provides a protective environment for those who make complaints.	Board Response	Recommendation endorsed; forms part of wider DBSH Action Plan.

8.39.3	The College review its Discrimination, Bullying & Sexual Harassment Policy and Procedures for Resolving Discrimination, Bullying and Sexual Harassment Complaints to ensure that it adopts a zero-tolerance approach to discrimination, bullying and harassment, and clearly articulates the College's role and approach to responding to these allegations and complaints by establishing, promoting, upholding and publishing clear and consistent standards.	Board Response	Recommendation endorsed; forms part of wider DBSH recommendations and Action Plan.
8.39.4	The College work with employers including training hospitals to develop partnerships to ensure these issues are addressed in the employment setting.	Board Response	Recommendation endorsed; the work undertaken must include working with Health Ministers and Directors General to ensure expectations are common to all. Recommendation also forms part of wider DBSH Action Plan.
Action 8.39.4	Role of training site accreditation processes to be considered as one mechanism of effecting change and addressing cultures of bullying in the employment setting.	Responsible entities	CEO, Board
		Timeframe	Through 2018
8.39.5	The College consider implementing approaches to ensure diversity in representation on the Council of Education and Court of Examiners.	Board Response	Recommendation endorsed; forms part of wider DBSH Action Plan. Refer Recommendation 8.14 (above).
8.39.6	The College create an implementation plan for the recommendations in this review to account to trainees and members on the progress it is making with regard to addressing the recommendations. The plan will assist the College in demonstrating its integrity with stakeholders and ensure it is accountable for its actions going forward.	Board Response	Recommendation endorsed; commitment to release this Integrated Action Plan in February 2018.
Action 8.39.6(i)	Integrated EAG Action Plan to be released in February 2018.	Responsible entities	Board
		Timeframe	February 2018
Action 8.39.6(ii)	Entity(ies) that report(s) directly to the ACEM Board, coordinated through the Office of the CEO, to be established to facilitate monitoring of progress and completion of actions associated with this Action Plan and the wider DBSH Action Plan.	Responsible entities	Board
		Timeframe	February 2018
Action 8.39.6(iii)	Monitoring of progress and completion of actions to be facilitated through the Board entity(ies) established for this purpose, with reports submitted to each meeting of the ACEM Board.	Responsible entities	CEO, Board
		Timeframe	Ongoing until completion of the EAG Action Plan and the wider DBSH Action Plan.

① Appendix A - Terms of Reference



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; and
- 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 any 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.

② Appendix B - Report Foreword

Chair Foreword

I present the findings of the Expert Advisory Group on Discrimination to the ACEM Board for consideration. In doing so, I wish to acknowledge the complexity of the challenges posed by this process. The members of the EAG are acutely aware that the events that triggered the initial complaint and the subsequent investigation have highlighted many issues – the human cost and anguish of many trainees who are grappling with the examination process to achieve Fellowship, the commitment and dedication of examiners, who are keen to uphold clinical standards and create the best possible context for patient safety and good clinical care, the processes that have most recently been instituted by College experts who seek to build a stronger and more resilient examination process to achieve Fellowship within the College system. This complexity, and the fact that inevitably processes such as this touch on human vulnerability, mean that the recommendations contained in this report require a dedication on the part of the ACEM leadership to long term and deep reform, and a commitment to focussing not just on the architecture of the examination processes but also on the deeper issue of the culture of the College and its relationship with its members.

The recommendations in this report are outlined to respond specifically to the complainants, and then to propose changes that should be made to respective college processes to build a stronger system into the future. In doing so, the EAG has sought to recognise the improvements that are part of the quality control cycle of the College and the willingness of the College to engage with these issues in a systemic manner.

Notwithstanding this, the lessons taken from this process are clear. In the first instance, there is a need to address the legacy issues of the changes in the examination process, where many graduates – both IMGs and Australian trained – have had their lives adversely impacted as they struggle to understand the requirements to achieve Fellowship. We have made specific recommendations on how these may be addressed.

There is enormous commitment and goodwill by members of the College to contribute to the profession of Emergency Medicine. We ask that you review these findings in the spirit of greater enhancement of the College's role and contribution to Emergency Medicine and the need for all institutions to be alert to unconscious bias or systemic factors that may make it difficult for certain groups to have an equal chance to achieve their professional goals.

The challenge ahead is for the College Board to take on the leadership role to respond to these findings with a comprehensive and effective action plan, to provide redress for those who have been impacted and to implement ongoing change to build the culture and effectiveness of the College into the future. I encourage clear and ongoing communication by the College Board and transparency to your membership as you respond to these recommendations.

I take this opportunity to thank the College for the opportunity to contribute to this review. I would like to acknowledge the efforts of my fellow EAG members, which were significant, in attempting to seek the best path forward, and to the Deputy Chair, Professor Paterson, for his support. ACEM staff have demonstrated high levels of competence and professionalism which greatly enhanced the ability of the EAG to undertake its work. We have been greatly assisted by Emma Turner and her colleagues in preparing and finalising our findings.

I commend this report to the Board of the Australasian College for Emergency Medicine.



Dr Helen Szoke

Chairperson

2 October 2017

③ Appendix C - President's Message



10 October 2017

RE: EAG FINAL REPORT

Dear Colleagues

Today the College has welcomed the findings of an independent report into allegations of racial bias in one of our Fellowship examinations. The report, by an Expert Advisory Group (EAG), led by Dr Helen Szoke and Professor Ron Paterson, found no evidence of discrimination in the outcome of the 2016.2 Fellowship Objective Structured Clinical Examination (OSCE), but identified many areas requiring College attention.

The ACEM Board received the report at our meeting yesterday and we have accepted it in its entirety. To do it justice, the Board will carefully consider and then respond to its recommendations. In the interests of transparency, the full report, additional analysis relied on by the EAG and a media statement is available on the College website.

We have already made substantial changes in many of the areas identified for action and will continue to address the very real concerns that have been raised.

We recognise that some candidates have been deeply affected by their experience and apologise for the adverse impact it has had on their lives.

The College established the EAG in February and commissioned the report to examine allegations that racial bias in the College's 2016.2 Fellowship Clinical Examination was responsible for a significant performance gap between two broad groups of candidates. The EAG found while 'there is no statistical evidence of bias to establish that racial bias and discrimination resulted in the significant disparity of outcomes', there was a range of reasons for the difference in results between the two groups.

We take full responsibility for fixing the problems the College needs to deal with and commit to working with employers and others in the medical profession to address issues that are shared outside our specialty. We need to continue to act to rebuild trust and make sure our examination processes are fair, clearly explained and well understood.

We also have a duty to patients in Australia and New Zealand to ensure that emergency medicine specialists have the skills they need to provide high quality specialist care.

The EAG report notes the work the College has already done to address the combination of complex, historical issues that, combined, gave rise to the issues experienced by the complainants. Continuing work will focus on clear communication, increased transparency, timely and constructive feedback to trainees and education for Fellows about unconscious bias.

We want to make sure our actions effect real change. Given the significant overlap with issues identified in the discrimination, bullying and sexual harassment survey, we will develop and publish a comprehensive, integrated Action Plan by February 2018, and will work with Fellows, trainees and other stakeholders to ensure it leads to meaningful change.

The Board is committed to this work and I thank members of the College for their ongoing contribution as we work to address these issues together.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized initial 'A' followed by a long, horizontal, slightly wavy line that tapers to the right.

Professor Anthony Lawler
President Australasian College for Emergency Medicine

[Download the EAG report](#), the EAG commissioned [independent statistical and psychometric analysis](#), the [literature review](#) and the [Media Release](#) as part of its investigation.

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