

Collection of pharmacy technician student data – legal basis

We are collecting equality and diversity data on student pharmacy technicians to contribute to the quality assurance of training and to our planning and policy development in respect of training. The following gives our lawful basis for processing data for these purposes.

The GPhC is required under Article 42(1)(b) of the Pharmacy Order 2010 to set standards of education, training and experience that providers of education and training must meet.

As an authority carrying out functions in the public interest, the GPhC must comply with the public sector equality duty in the Equality Act 2010. One way we do this is by incorporating equality, diversity and inclusion in our standards. The current standards for the initial education and training of pharmacy technicians includes:

Standard 2: All aspects of pharmacy technician education and training must be based on principles of equality and diversity and keep to all relevant legislation.

Article 43(3)(b) of the Pharmacy Order requires us to take appropriate steps to assure that our standards and requirements are met. Article 46(3) states that training providers must give us such information and assistance as we may reasonably require in connection with the exercise of our functions under the Order.

Article 6 of the General Data Protection Regulation as applied in the UK gives the lawful basis for processing personal data. Article 9 covers processing of special category data. The following apply to this data:

- Article 6(1)(c) – necessary for compliance with a legal obligation to which the controller is subject
- Article 6(1)(e) – necessary for the performance of a task carried out in the public interest or the exercise of official authority vested in the controller
- Article 9(2)(b) – necessary for carrying out obligations in the field of social protection law
- Article 9(2)(g) – necessary for reasons of substantial public interest and is authorised by domestic law

Schedule 1 of the Data Protection Act 2018 sets certain conditions on processing of special category personal data. Section 1 relates to processing in connection with obligations under social protection law and section 8 relates to processing of data on racial or ethnic origin, religious beliefs, health or sexual orientation in relation to equality of opportunity or treatment.

To reduce risk to any individuals, we are asking for data to be provided in pseudonymised form. Individuals should be assigned a number to allow tracking across years, but we will not know the identity of the individual and will not attempt to identify them from any other data we may possess now or in future.