

Third-party research policy

GPhC0012 Version 2

This policy sets out our approach to disclosure of information on registered pharmacy professionals and pre-registration trainees to academic researchers and other organisations carrying out independent research. It also sets out how we assess requests to take part in or support research projects.



Policy details

Policy reference	GPhC0012
Version	2
Policy author	Governance and Assurance Manager
Approved for issue by	Senior Leadership Group, 10 December 2019
Effective from	01 January 2020
Next review	01 December 2022

Version control tracker

Version	Approved date	Description of change	Amendments by
1	21/07/2016	First version	
2	10/12/2020	New policy format used; text updated to reflect changes in data protection law and organisational changes.	Governance and Assurance Manager

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1. Introduction

- 1.1 The General Pharmaceutical Council (GPhC) register holds details of the entire population of registered pharmacy professionals. We regularly receive requests from researchers and other third parties:
- to access contact details of registered pharmacy professionals or pre-registration trainees for research purposes
 - for the GPhC to send out surveys or information about research projects
 - for the GPhC to take part in or support research projects into aspects of pharmacy training, practice or regulation

2. Purpose

- 2.1 The purpose of this policy is to make sure that:
- we use personal data responsibly and respect the privacy of the people whose data we hold
 - we meet our obligations under data protection law
 - our criteria for assessing whether to support research requests are clear
 - we treat all requests fairly

3. Scope

- 3.1 This policy covers requests from researchers for:
- contact details of registered pharmacy professionals or pre-registration trainees
 - the GPhC to send out surveys or information about their research projects
 - the GPhC to participate in academic or other research projects
 - the GPhC to support third party research projects in other ways, for example by sharing data
- 3.2 Researchers include, but are not limited to:
- academic researchers
 - independent research organisations
 - organisations involved in health or social care research

4. Exclusions

- 4.1 This policy does not apply to organisations where we have separately established information sharing agreements or memoranda of understanding that cover the data or research support required.
- 4.2 It does not apply to requests for information made under the Freedom of Information Act 2000 (FOIA) which will be considered under established FOIA procedures.

5. Definitions

- 5.1 **Data protection legislation** includes the Data Protection Act 2018, the General Data Protection Regulation EU (2016/679), Privacy and Electronic Communications (EC Directive) Regulations 2003

(and successor legislation), Human Rights Act 1998, as updated from time to time, and other relevant legislation.

6. Responsibilities

- 6.1 Staff in the Data and Insight, Information Governance and Communications teams are responsible for implementing the policy.
- 6.2 The Data Protection Officer will be involved in any decisions regarding contact with pharmacy professionals or sharing personal data for third party research purposes.

7. Policy

- 7.1 The GPhC is a data controller registered with the Information Commissioner's Office. We will make sure that we process personal information fairly and lawfully, and in accordance with data protection legislation.
- 7.2 Researchers must be able to demonstrate how their project will comply with data protection legislation.
- 7.3 The Pharmacy Order 2010 specifically prohibits the GPhC from publishing registrants' full addresses as part of the register. We do not consider there is a legal basis in data protection legislation for sharing other contact details of registrants or pre-registration trainees with researchers. We will not, therefore, give out lists of contact details to third party researchers for their own research purposes¹.
- 7.4 Where a researcher or other third party wishes to contact registrants to carry out a survey or for other research purposes, we will consider whether we can support the work through either:
 - publicising the project on social media
 - occasionally, sending emails with links to the survey or other information relating to the research project, provided such contact is lawful under data protection legislation. We would usually limit contact to a sample of the register or a limited subset of the register.
- 7.5 All requests to support or participate in research projects will be assessed on a case by case basis using the criteria set out in sections 8-10 below.
- 7.6 Where we agree to support or participate in a project, we expect the researcher or organisation concerned to sign an information sharing or confidentiality agreement where appropriate for the circumstances.
- 7.7 Where we are unable to share personally identifiable data, we will consider whether it is possible to share data in anonymised or aggregated form, depending on the data requested and data protection considerations.
- 7.8 If the GPhC agrees to support the work, we would expect the researcher to share their report or findings with us.

¹ We occasionally share data with research organisations working under contract on behalf of the GPhC, where there is a legal basis for sharing.

8. Assessment criteria – academic research

The GPhC will assess how the proposed research project meets the following criteria in deciding whether the GPhC will support the research:

- 8.1 The research must meet all the following eligibility criteria:
- Researchers must be based in a United Kingdom (UK) university or other charitable academic research organisation based in the UK;
 - Projects must be led or supported by a senior researcher. Requests for PhD or Masters projects are only considered in exceptional circumstances, where the research question is particularly important to the GPhC and the PhD/Masters candidate works in a suitable educational and supervisory environment;
 - To be considered, research projects must have Ethics Committee (or equivalent) approval and, where required, funding from a research funding organisation or academic institution which undertakes peer review in making funding decisions; and
 - Results from the research will be made public, for example published in a journal or on a website. Anonymised data from the research should also be deposited in a research data repository, such as the UK Data Archive.
- 8.2 The proposed research project must support the GPhC's strategic aims and further understanding in at least one of the key areas of work set out in the **GPhC strategic plan**. Research requests will be assessed on the extent to which they further understanding in one or more key areas.
- 8.3 Researchers planning a survey must demonstrate that a survey of registrants is the best means of obtaining the information. They must state what other methods of recruitment are available and show that these have been fully considered. The GPhC will not contact registrants or pre-registration trainees directly unless we are satisfied that it is lawful to do so. Researchers must choose a reasonable sample size; we would not contact all registrants. We must also be satisfied that information in the register allows adequate selection of a sample.
- 8.4 Researchers must provide assurance to the GPhC that they will use a secure method to capture and process data and that the project is compliant with data protection legislation.

9. Assessment criteria – health and other third party research

- 9.1 Article 6 of the Pharmacy Order 2010 sets out a duty for the GPhC to cooperate, as far as is appropriate and reasonably practicable, with other organisations involved in the regulation of health and care professionals and health services, or the provision, supervision or management of health services in the interests of the health, safety and well-being of members of the public. We will consider supporting projects from such organisations where there is a strong public interest in the success of the work or other regulatory benefit.
- 9.2 The purpose and intended outcome of the project must support the GPhC's regulatory objectives or at least one of the key areas of work set out in the **GPhC strategic plan**. Research requests will be assessed on the extent to which they further understanding in one or more key areas.
- 9.3 If the project includes contact with registrants, researchers must demonstrate that contact with registrants through the GPhC is the best means of achieving the project's aims. They must show that other methods of contact have been fully considered. The GPhC will not contact registrants or

pre-registration trainees directly unless we are satisfied that it is lawful to do so. Researchers must choose a reasonable sample size; we would not contact all registrants. We must also be satisfied that information in the register allows adequate selection of a sample.

- 9.4 Researchers must provide assurance to the GPhC that they will use a secure method to capture and process data and that the project is compliant with data protection legislation.

10. Operational impact

10.1 Any project meeting the criteria set out in sections 8 or 9 will be considered in the light of GPhC priorities and resources available at the time the work is due to be carried out, taking into account the following:

- What resources are required?
- What are the timescales for the research?
- What is the impact on other GPhC activities?
- Does the project duplicate or conflict with GPhC research or consultations?

11. Making a request

11.1 Requests should be sent to the **information governance team**.

11.2 Requests will be assessed against the criteria set out in sections 8 - 10 and you will receive a response within 20 working days.

12. Monitoring and compliance

12.1 Requests will be recorded and compliance with the policy monitored by random checks by the Data Protection Officer and Head of Data and Insight.

12.2 Teams working with researchers on any project the GPhC agrees to support will monitor progress and legal compliance. Depending on the project and the level of the GPhC's involvement, this could include approving surveys, reviewing research methodologies and approving reports for publication.

12.3 Teams involved in supporting research projects will monitor the operational impact of the work on the GPhC and benefits resulting from the work. This will be reported at least annually to the Director of Insight, Intelligence and Inspection.

13. Associated documentation

- **Publication and disclosure policy**
- **Privacy policy**

