

Processing special category data in MSC Summer Schools programme

Introduction

Widening access to higher education, and to medicine, has been a major component of government education policy in the UK for a number of years. In addition, the UK suffers from a medical workforce recruitment and retention issue which is expected to be exacerbated by external factors such as the UK's decision to leave the European Union (EU) which will end the free movement of people to the UK from the EU.

To exercise the function of the Department of Education and the Department of Health and Social Care to improve the UK medical workforce by training doctors from the UK, it is necessary to process special category data from students who enrolled on the MSC Summer Schools Programme which is aimed at widening access to medicine. The programme targets students with certain sociodemographic characteristics, some of which is classified as special category data under Article 9 of the General Data Protection Regulation (GDPR).

The MSC Summer Schools programme is funded by Health Education England (HEE), an executive non-departmental public body of the Department of Health and Social Care. It is of substantial public interest to monitor, evaluate and research whether the MSC Summer Schools programme deliver the following:

- Improving widening access to medicine for students from underrepresented groups;
- Ensuring there is equality of opportunity and treatment for students who come from a widening access background (Schedule 1, Part 2, paragraph 8(2) of the Data Protection Act 2018);
- Ensuring that the objectives for widening access to medicine are achieved by confirming students from the programme are supported, and join the medical workforce by completing their medical training; and
- Providing value for money.

Lawful basis for processing activities

The processing of personal data is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract. The processing activities are necessary for:

- Enabling the student to enrol on the MSC Summer Schools programme;
- Carrying out background and reference checks; and
- Ensuring the aims and objectives of the MSC Summer Schools programme are achieved.

Data about students' medical background is necessary for providing reasonable adjustments and ensuring the safety of students during the Programme. The legal basis for processing special category data is also

based on substantial public interest (Article 9(2) point (g) (substantial public interest)) and for research purposes (Article 9(2) point (j) (research purposes)), and for this processing activity consent is not required. However, individuals have the right to provide notice in writing to ask the Medical Schools Council to stop processing their personal data if they wish to do so and have been provided with contact details for whom to contact.

The processing of special category data is not intended to make decisions about individuals, and the processing activities are not likely to cause substantial damage or distress to individuals.

Table 1. Lawful basis for processing

Data type	Lawful bases
Student contact details and demographic characteristics	Processing is necessary for the performance of a contract – <i>To enrol the student onto the programme.</i>
Photographs, audio and video footage of students	Processing under explicit consent from the individual.
Parent contact details	Processing is necessary for the performance of a contract – <i>To ensure student has sought parental/guardian approval for enrolling onto the programme.</i>

Table 2. Lawful basis for processing special category data

Data type	Lawful bases
Ethnicity data	<p>Processing is necessary for the performance of a contract – <i>To enrol the student onto the programme.</i></p> <p>Processing is necessary for reasons of substantial public interest – <i>To ensure the aims and objectives of the programme are achieved.</i></p> <p>Processing is necessary to carry out research in the public interest – <i>To ensure the aims and objectives of the programme are achieved through research and monitoring.</i></p>
Medical and health information	<p>Processing is necessary for the performance of a contract – <i>To enrol the student onto the programme.</i></p> <p>Processing is necessary to protect the vital interests of the data subject – <i>To provide a safe environment on the programme and to administer emergency medical treatment.</i></p>

Compliance with Article 5 of the GDPR

Purpose

The student's personal data will be processed in the following way:

1. Where we need to perform services relating to a contract we have entered into with the student, this includes:
 - a) For application, admission and registration purposes prior to participating on the summer school;
 - b) To deliver and administer the summer school; and
 - c) To ensure your safety and wellbeing during the summer school

2. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests. Usually this will include:
 - a) For internal record keeping;
 - b) To monitor and evaluate the effectiveness of summer schools through research, statistical analysis and surveys;
 - c) To monitor and evaluate trends in applications to medicine and onto medical practice through statistical analysis;
 - d) To contact students with information about events and activities that may be relevant to them where they have not objected to us doing so;
 - e) To take photographs, audio and video footage at the summer school for digital and printed promotional materials, communications, publications and social media sites.

3. To provide students with information about activities and events that we feel may be relevant to them. We will only send students electronic marketing messages in the following situations:
 - a) student consent to this by completing the relevant field on our web forms, event registration forms or programme application forms

If students do not want us to use their data in this way, they can opt out of these at the point which we collect their data or use the unsubscribe link in our email communications at any time after our initial contact.

In order to ensure that the content of our electronic communications is relevant to students, we may send some of these based on specific information students have provided. This includes information such as their country or region of domicile, gender, age, subject area(s) of interest, and level of studies.

We may also use students' personal information in the following situations, which are likely to be rare:

- Where we need to comply with a legal obligation.

- Where we need to protect their interests (or someone else's interests).
- Where it is needed in the public interest or for official purposes.

We will only use students' personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason which is compatible with the original purpose. If however we need to use their personal information for an unrelated purpose, we will notify them and we will explain the legal basis which allows us to do so.

Data minimisation

To ensure that monitoring is accurate and reliable, a granular level of detail will be required to review the success of programme. All non-essential data for monitoring will be removed once data subjects have enrolled onto a medicine course. Only a flag will remain attached to a personal identifier (student ID or GMC reference number) to indicate that the individual participated in the MSC Summer Schools programme. Special category data would no longer be stored once the student has successfully entered a UK medicine course.

Individuals will not be asked to provide information that is not required to validate their sociodemographic status for enrolling onto the programme. Internal MSC policy requires staff to use the minimum amount of data required to carry out the required tasks.

When the data is processed for research purposes, wherever possible this is carried out using anonymised or deidentified datasets.

Accuracy

Individuals are required to provide complete and accurate information when applying for a place on the MSC Summer Schools programme. This is cross-referenced and confirmed (where known) by the individual's school to help to ensure accuracy.

The data collected at the time of application to the Summer Schools Programme will remain stable and is not likely to change over time.

Retention period

The personal data will be kept for a minimum of 10 years to allow for enough time to pass between enrolling on the programme and for the individual to apply to a medicine course. Erasure of demographic personal data will occur once the individual has enrolled on a medicine course. Only a flag indicating that the individual attended the Summer School Programme remain attached to the personal identifier, along with the summer school location and the year attended.

Table 3. Retention schedule

Data type	Retention rule
Student contact details and demographic characteristics	Removed if 10 years from enrolment on Summer School Programme has passed without entering a medicine course in the UK. When the student enters a medicine course, only the personal identifier, name, date of birth, summer school location and summer school date are retained for monitoring purposes.
Parent contact details	Removed at the end of the Summer School

	Programme.
Ethnicity data	Retained for a minimum of 10 years from enrolment on Summer School Programme OR Removed when student enters a medicine course in the UK.
Medical and health information	Removed at the end of the Summer School Programme.

Security and confidentiality

The MSC has a range of security and staff policies in place to comply with the Data Protection Act (DPA) 2018 and the GDPR. MSC staff, contractors, and processors are required to apply these standards and policies when processing data.

MSC staff are required to complete annual training on data governance and information security.