

The Ministry of Education urgently needs to work on data protection-compliant solutions

Use of messengers in school

The State Commissioner for Data Protection (LfD) Lower Saxony, Barbara Thiel, expressly points out that she neither recommended nor approved the use of WhatsApp in schools. "However, in view of the corona pandemic and the resulting increased need for digital communication in schools, I am willing to put aside certain concerns in individual cases for a limited period of time. However, certain framework conditions must be observed when using messengers by public authorities," says Thiel. One of these conditions is that communication should be as data-efficient as possible.

The messenger WhatsApp is widespread. It is therefore not surprising that the Lower Saxony Ministry of Education (MK) explicitly refers to this service in its "School in Corona Times" guide. However, when registering for WhatsApp, all of the contact data stored on the user's phone is transferred to the provider. There is neither a legal basis for this nor can the persons stored in the user telephone agree to or object to the data being passed on. WhatsApp definitely does not meet the requirement for data economy.

"In the past, I have repeatedly spoken out very clearly against the use of WhatsApp in schools," says Thiel. "This attitude still applies and thus also corresponds to the position of other state data protection officers." At the same time, however, she saw the current needs in schools and was therefore ready for a very limited period of time "with a heavy heart" to put her objections aside. However, this does not relieve the Ministry of Education of its tasks.

"There are significantly more data-efficient messenger services on the market that offer the same communication options. I therefore call on the Ministry of Education to seriously examine alternatives to WhatsApp and to inform the schools of the results of this examination so that they can use data protection-friendly services supposed to happen some time ago. In view of the failures of the ministry in the past, work must now be done at full speed on data protection-compliant solutions. "I will also inform the Ministry directly of my positions. It is extremely unfortunate that teachers and students do not initially have the opportunity to use data protection-friendly messengers in times of crisis," says Thiel.

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