

Complaints about data protection violations and the complexity of processing continue to increase

Activity Report 2020

The State Commissioner for Data Protection (LfD) Lower Saxony, Barbara Thiel, again recorded a significant increase in complaints and reported data protection violations in the past year. "The mass of individual cases coupled with our insufficient staffing constantly presents us with the challenge of not being paralyzed for other important tasks," said Thiel at the presentation of her 2020 activity report in Hanover. Overall, the authority of the LfD received 2,479 complaints and 989 reports of data protection violations last year - both a significant increase compared to 2019. At the same time, the complexity of processing due to digitization in business and administration is continuously increasing, according to Thiel.

Highest fine since the GDPR came into effect

The cost of fine proceedings also increased significantly in the past year. If a data processing body violates the provisions of the General Data Protection Regulation (GDPR), it can be fined significantly more than before the GDPR came into force. The procedures required for this are correspondingly complex. In 2020, the LfD Lower Saxony imposed its highest fine to date on a company, at 10.4 million euros. This had monitored its employees by video for at least two years without there being a legal basis for this. However, this decision is not yet legally binding.

Lots of complaints about contact lists

The corona pandemic also caused an increase in the number of cases and new topics. Many of those affected complained to the LfD about the improper handling of their data, which had to be collected by companies and institutions for contact tracing. Time and again, for example, it was a question of making contact lists freely accessible and making the data entered on them accessible to unauthorized persons.

Many inquiries to the LfD also revolved around the collection of health data by employers, the correct design of certificates for exemption from the mask requirement, working from home in compliance with data protection regulations or the use of video conferencing systems in schools. "The pandemic has greatly accelerated digitization, including in education," says Barbara Thiel. "But at the same time it also revealed the weaknesses in the system. Because at the beginning of the first wave, only a few schools were obviously able to offer data protection-compliant digital education."

"Can't because of data protection"? Mostly not true

In addition to the high number of cases and scarce resources, the biggest challenge for the work of the LfD Niedersachsen is

above all the reputation of data protection as a brake on innovation. "Decision-makers in politics and business should not succumb to the temptation to blame data protection for undesirable developments and problems. This is a reflex that rarely gets to the heart of the problem."

Appropriate data protection is and will remain an essential prerequisite for the success of digitization. Because only if digitized data processing is transparent and comprehensible will it meet with lasting acceptance. "In this way, the undisputed opportunities of digital data processing can best be used, for example in research, in the early detection and treatment of diseases or in the relationship between citizens and the state," says the state data protection officer.

The full activity report 2020 as a PDF document.

Further information

Fines 2020

Numbers at a glance

Press release as PDF document