

Guide to outsourcing municipal

information technology

The Bavarian State Commissioner for Data Protection

publishes help on data protection

Outsourcing of municipal IT

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Munich, March 29, 2021

What does a municipality have to consider with regard to data protection, if they outsource tasks from their own IT department to service providers want to outsource? This question has occupied many Bavarians for some time cal municipalities. After all, the municipalities are responsible for data protection responsible for the data entrusted to them by citizens.

At the same time, they hope that external service providers will timely and secure management of this data. Against this background I have together with the Bavarian municipal auditing association, direction of a high-level working group, which also took part the Bavarian State Ministry of the Interior, for Sport and Integration, the municipal umbrella organizations and the state office for security in the information technology involved. The result of this working group is the guidelines published today, which the municipalities protection-compliant outsourcing of municipal information technology should support.

In principle, municipalities can, according to Art. 28 data protection Basic Regulation (DSGVO) engage processors. the advance Order processing requirements are only neutral and abstract regulated. The Bavarian State Commissioner for the

Data protection, Prof. Dr. Thomas Petri, specifically:

“The answer to the question of whether and to what extent municipal

IT is permitted, must be outside of Art. 28 GDPR - in other provisions

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regulations of the GDPR and in national law. dimensional

It must be taken into account here that the municipalities, due to their

wide range of responsibilities data from a wide range of specialist

processing areas - sometimes special categories of personal

related data according to Art. 9 DSGVO or data that are specially

are subject to legal regulations, such as those from the

areas of reporting, taxes, human resources, health or social

senior If such area-specific requirements exist,

they are of course also taken into account in the context of order processing.”

The task of the working group was to check for IT outsourcing

to find a form that can be used in practice for the questions. The-

se is now available in the form of the guidelines published today. loading

It should be particularly relevant for practice that an ISO 27001

Certification of the service provider essential simplifications for the

munen in the selection and review of the contractor.

The "Guideline for outsourcing municipal IT" is available from today on the

Homepage <https://www.datenschutz-bayern.de> in the section "Data

Protection reform 2018 – orientation and practical aids – order processing

tion" as a PDF file for free download.

Prof. Dr. Thomas Petri

The Bavarian State Commissioner for Data Protection checks the Bavarian public

public bodies compliance with data protection regulations. It's from Bavarian

Elected to the state parliament, independent and not bound by instructions from anyone.