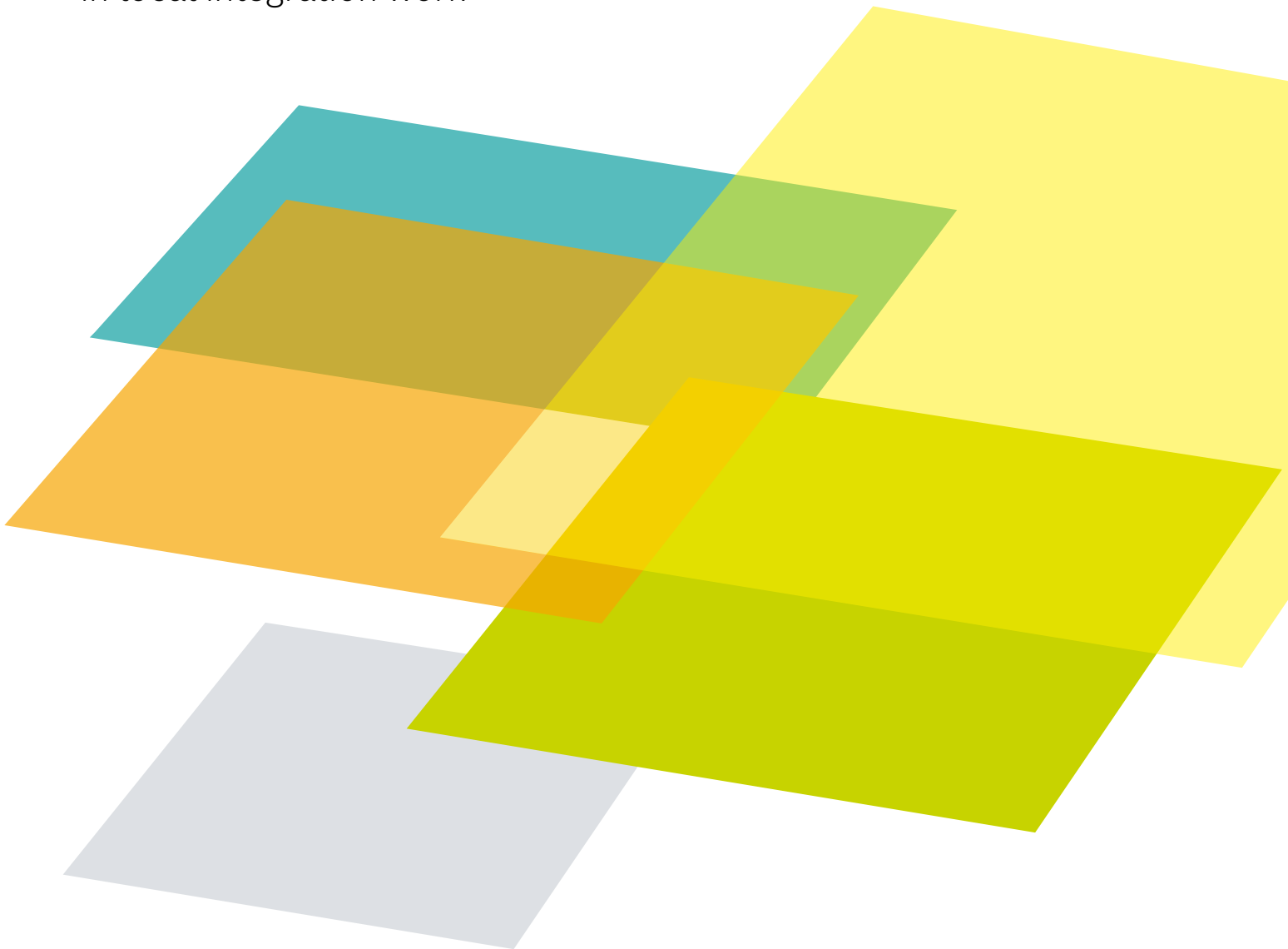


Well-connected data, well-connected institutions?

Data management, data protection and cooperation
in local integration work



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Information on the project

Local authorities in Germany are key stakeholders in local integration measures. This fact is recognized by most actors, including the Federal Government, who highlighted their role in its National Action Plan on Integration (*Nationaler Aktionsplan Integration, NAP-I*). Similarly, it is widely acknowledged that a broad range of actors are involved in local integration processes and that immigrants come into contact with a number of different institutions, be they public or non-profit entities. Their contacts with these organizations seem to be characterized by constant repetitiveness: Immigrants are required to provide the same data and documents over and over again for them to be registered and (re-)processed anew. This not only leads to higher workloads for all persons involved, but can also be a source of error or information loss in data processing.

The project “Hand in hand? Opportunities and risks of an integrated data management in local integration work” (*“Hand in Hand? Chancen und Risiken des Datenmanagements in der lokalen Integrationsarbeit”*) therefore tried to answer the question of whether and how a more integrated data

management can bring about improvements in local integration work. The objective was to provide an overview of existing forms of (integrated) data management in German municipalities and identify persisting challenges and needs for further reforms. The project was implemented by the University of Hildesheim in collaboration with the Robert Bosch Stiftung and was funded by the Federal Commissioner for Migration, Refugees, and Integration (11/2020-05/2022).

Research within the project identified a number of interfaces between different agencies where an integrated data management can indeed result in improvements for immigrants and public authorities alike. At the same time, data protection concerns arose as a crucial issue that could inhibit far-reaching exchange of sensitive data. Moreover, the project showed that current practices are at times contradictory with current data protection laws and with the right of immigrants for self-determination in data processing.

Main findings and recommendations

The study first discusses the activities of local actors in the context of the European General Data Protection Regulation (GDPR) and their options and limitations arising from data protection legislation. The regulations set out in the GDPR turned out to be a sort of “boogeyman” for many actors in public administration, since the complexity of the legislation leads to insecurity on their part. A patchwork of local practices arises that does not always comply with the ‘heart’ of the GDPR, i.e., its underlying principles and ideas. Therefore, the study recommends that:

- **Questions of data protection** should be **clearly answered in guidelines by higher levels of government** to aid local authorities and provide certainty and confidence in complying with EU and national legislation.
 - The concerned ministries should provide **templates for consent forms** that are as simple as possible. At the same time, they should enable customization regarding the objectives and content of data processing as well as the potential recipients of data.
 - Generally, consent can only (truly) be given when the data processing is voluntary. Not all processes conducted by (local) authorities ensure or even enable this **voluntary character of consent to data processing**. Therefore, responsible persons who are in contact with immigrants need to explain well which types of data processing are mandatory, which are voluntary and what are the consequences of refusing consent.
 - Local authorities and counselling centers should be provided with **training regarding the “heart” of the GDPR**. Sensitizing employees for these principles can help them make informed decisions regarding when to pass data on to other agencies and when to forego doing so in the sense of data minimization and protection.
- In the following, the study focusses on the perspective of immigrants themselves, analyzing the importance they attach to data protection and data processing by local authorities. It shows that the current structures and procedures are far from providing for transparency and self-determination. Therefore, future reforms should strive to give immigrants a more comprehensive overview regarding who uses their personal data and for what purposes.
- The Federal Government is currently in the process of creating a **data protection cockpit**. This cockpit will provide all inhabitants with an online platform where they can view which public authorities hold which of their personal data and how it is used. We recommend the **timely implementation of this cockpit (also for the field of migration and integration)**. This is particularly essential for the Central Register of Foreign Nationals (*Ausländerzentralregister, AZR*). Such a cockpit would increase transparency, allow for easy verification of the data stored and thereby enhance data quality, which is currently in need of improvement in a number of cases.
 - In general, the **right of immigrants to information on data protection and processing of their personal data** should be better implemented. It could be improved by equipping local authorities with the right to inform immigrants about the personal data stored in the Central Register for Foreign Nationals, by translating handouts on data processing or by introducing the issue of data protection in the integration courses.
 - Moreover, the **rectification of inaccurate data should be facilitated**. Current barriers for rectifying initially registered data are high, which can lead to lengthy and laborious processes until rectification is finally achieved.

As a next step, the study looks at the challenges and potential solutions regarding data management in local integration processes in more detail. Firstly, it explains why an encompassing data base on integration is neither a practicable nor desirable model: While it would represent a step towards the “once only” principle in data processing, it would also represent a breach of equal treatment and data minimization principles by amassing a broad range of personal data on immigrants. Moreover, such a database would establish a parallel structure to already existing databases. In addition, integration processes – and thus, the data needed to foster them – are highly diverse. As a consequence, the study analyzes potential solutions beyond a centralized database and recommends:

- An **effective system for first-time contacts** to newly arrived immigrants should be established to facilitate the ensuing integration work. For example, all new immigrants could be contacted by a letter in their mother tongues, or messenger services and social media could be more systematically used. As this is currently hindered by insecurity regarding data protection, clear legal standards should be established.
- In cases where the federal states establish programs where different agencies regularly work together – for example in Germany, in case management systems funded by the states – they should also provide either an **integrated software for shared documentation of cases** or at least **issue clear guidelines on how to organize data management** and data transmission between the participating actors.
- Interviewed immigrants and counselling organizations raised the issue that documents from countries of origin are repeatedly demanded, checked, and called into question. A diverse society, however, should rather be characterized by a **“migration-sensitive” management of documents**: By this, we mean pragmatism and an acknowledgement of the fact that various documents are difficult or impossible to obtain for immigrants. Local authorities should also be able to call upon external expertise in judging the validity of foreign documents, with their validity then being certified once and for all.
- A number of processes in Germany require different actors to work “hand in hand.” More often than not, however, immigrants themselves need to provide different agencies with paper copies of documents or are expected to pick up a certificate at one agency in order to carry

it over to another. In this context, **a shared platform for organizing workflows such as the registration for language courses, and conveying the necessary documents** could greatly facilitate these processes and contribute to the often-cited digitalization of public administration.

- At the same time, the question may certainly be raised whether the solutions proposed above would only serve to lessen the effects of an overcomplex system rather than addressing the root causes of these problems. In the light of integration being an issue that touches upon various aspects of life and thus involves a broad number of actors, the **distribution of competences and the organization of processes should be constantly and comprehensively evaluated**.

Research within the project has thus shown that the need for an integrated data management in many cases arises only from the fact that the structures and processes of integration work are overly bureaucratic and complex. Therefore, the study closes with a look beyond data management in the narrow sense.

The regulations at the federal, regional and local levels that give rise to particularly high levels of bureaucracy in integration work are the highly complex residence rights in German law, the narrowly defined target groups of different kinds of language courses, as well as the social security provisions exclusively dedicated at asylum seekers (*Asylbewerberleistungsgesetz*). They imply extensive obligations to produce supporting documents that in turn have to be examined by different agencies, leading to frustration on the side of immigrants, advisers and public servants.

In this context, the **digitalization of public administration can be understood as an opportunity** – not only for integration work: Digital transformation not only refers to analog-to-digital migration of potentially inefficient processes, but also encompasses a more profound examination of existing processes, dropping unnecessary steps and the possibility to design new and better processes.

Digitalization and integration are thus both tasks that challenge the current orientation at narrowly defined and jealously guarded competences of different agencies. They both **require a cultural change towards an agile and collaborative public administration that is orientated to the needs of all inhabitants of a diverse society**.

Imprint

Please note that this document is a summary of the study Kühn/Gluns (2022): “Vernetzte Daten, vernetzte Behörden? Datenmanagement, Datenschutz und Kooperation in der lokalen Integrationsarbeit”, available in German at <https://www.bosch-stiftung.de/de/publikation/vernetzte-daten-vernetzte-behoerden> and published by the Robert Bosch Stiftung GmbH. This English translation only comprises some parts of the full version. For more information on the underlying research project, on the methodology and a full bibliography, please consult the full version (only available in German via the above-mentioned link).

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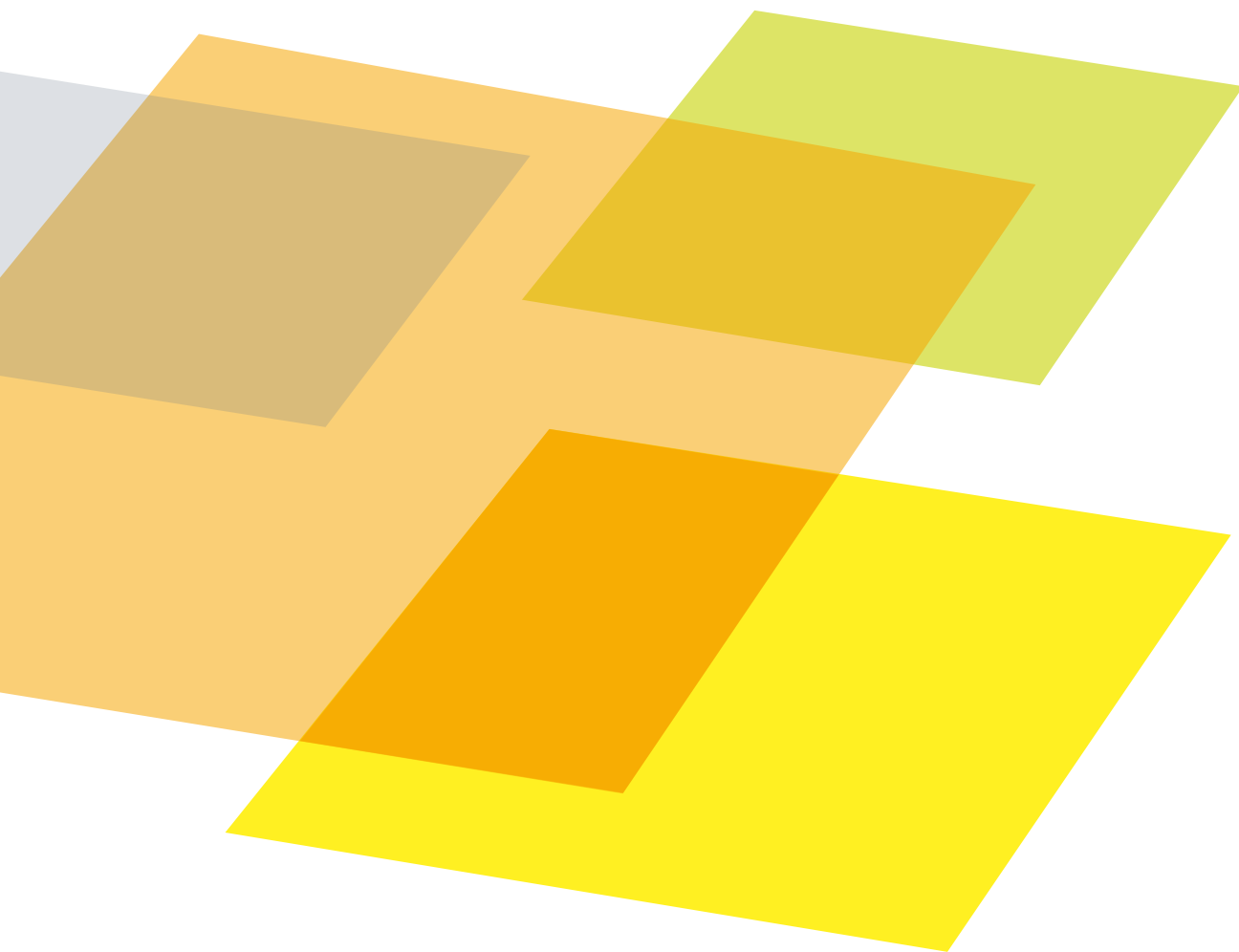
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