



FOR IMMEDIATE RELEASE

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HEALTH AUTHORITY OUTSOURCING CONTRACTS MUST BE DISCLOSED.

VICTORIA — In a series of orders issued today, the Office of the Information and Privacy Commissioner has ruled that the Vancouver Coastal Health Authority (VCHA) must disclose commercial and financial details of three outsourcing contracts.

“These three orders are the latest in a series of decisions requiring contracts between public bodies and service-providers to be released,” said Information and Privacy Commissioner Elizabeth Denham. “Given that these contracts are frequently requested under freedom of information requests, public bodies could promote greater accountability and decrease their administrative burden by making most contracts publicly available once negotiations are complete and the contract signed.” In her recent report, *It’s About Time: Report Card on the Timeliness of Government Access to Information Responses*, the commissioner recommended that public bodies implement a program of routine, proactive release of government information. The outcomes here suggest that these types of contracts could qualify as suitable candidates for release outside the FOI process.

The Health Employees Union (HEU) made requests for contracts for cleaning services, laundry and linen services, and patient food services. The three contract services providers (Compass Canada, K-Bro Linen Systems, and Sodexo Canada) all objected to the release of certain details of their respective contracts relating to service delivery options, pricing, performance management provisions and other terms. They argued that these provisions were protected under s. 21 of the Freedom of Information and Protection of Privacy Act (FIPPA). The HEU and VCHA replied, on the contrary, that s. 21 of FIPPA did not apply to the information at issue and the information should be released.

The adjudicator agreed with the HEU and VCHA that although the information was commercial and financial information of the contractors, they failed to substantiate that disclosure would cause them economic harm. The contractors also failed to establish that the information met the three-part test of s. 21(1) of FIPPA.

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