



HOSPITAL EMPLOYEES' UNION

# NEWSLETTER

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## Privacy watchdog rules that health authority must release privatization contracts to HEU

It's a precedent-setting decision that could lead to the disclosure of lucrative privatization contracts throughout the public sector.

On August 16, the B.C. Office of the Information and Privacy Commissioner (OIPC) ordered the Vancouver Coastal Health Authority (VCHA) to release the full details of its commercial contracts with Compass, Sodexo and K-Bro Linen Systems to the Hospital Employees' Union.

HEU had filed requests for the contracts in 2007 under the *Freedom of Information and Protection of Privacy Act (FIPPA)*, but VCHA would only release redacted documents, that is, documents where words or sections were blocked out.

VCHA argued that it was entitled to hold back this information citing certain provisions in the *Act*.

HEU then requested a review by the OIPC of VCHA's decision to hold back information in the contracts.

During that review, Compass, Sodexo and K-Bro argued that a full release of their contracts would reveal information that might be advantageous to their competitors. But the OIPC found that the corporations failed to make their cases.

HEU secretary-business manager Judy Darcy says the precedent-setting ruling could open up billions of dollars of privatization contracts to public scrutiny.

"In the last decade, there has been unprecedented privatization throughout the public sector in B.C. and it's all happened with very little public scrutiny," says Darcy.

"Hopefully, this ruling will result in a higher standard of accountability to the public – and a clearer picture of the true costs of these controversial policies."

In her ruling, privacy commissioner Elizabeth Denham states, "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..."

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HEU secretary-business manager Judy Darcy agrees.

“Access to information needs to be simple, straightforward and timely – and in many cases, routine,” says Darcy. “The public deserves to know how their money is being spent.”

In addition to the commercial contracts and subsequent amendments to them, the union has asked for copies of the business cases and other documents related to VCHA’s decision to contract out housekeeping, dietary and laundry services.

Compass, Sodexo and/or K-Bro may have 30 days from the date of the decision to request a judicial review.

*August 19, 2010*