

An Garda Síochána

Oifig Saorála Fáisnéise,
An Garda Síochána, Teach áth Luimnigh,
Lárionad Gnó Udáras Forbartha Tionscail,
Baile Sheáin , An Uaimh,
Contae na Mí.
C15 ND62



Freedom of Information Office,
An Garda Síochána, Athlumney House,
IDA Business Park,
Johnstown, Navan,
Co Meath.
C15 ND62

Teileafón/Tel: (046) 9036350

Láithreán Gréasain/Website:

www.garda.ie

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Ríomh-phoist:/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000410-2022 Request Part-Granted

Dear

I refer to your request, dated 18th November, 2022 and further clarified and received on 21st November, 2022 which you have made under the Freedom of Information Act 2014 (FOI Act) for records held by An Garda Síochána.

Part 1(n) of Schedule 1 of the FOI Act states that An Garda Síochána is listed as a partially included agency *"insofar as it relates to administrative records relating to human resources, or finance or procurement matters"*. Therefore, only administrative records that relate to human resources, finance or procurement shall be considered.

Your request sought:

- 1. The number of female probationary Garda who have become pregnant, each year since 2014.*
- 2. The number of female probationary Garda who have had their training suspended after informing An Garda Síochána of their pregnancy, each year since 2014.*
- 3. The number of weeks pregnant each female probationary Garda was when their training was suspended after informing An Garda Síochána of their pregnancy.*
- 4. The number of female probationary Garda who have resumed their training after their pregnancy and returning to work, each year since 2014.*
- 5. The number of male probationary Garda who have been granted paternity leave each year since 2014.*
- 6. The number of male probationary Garda who have had their training suspended, when they have disclosed to An Garda Síochána that their partner is pregnant or that they require paternity leave each year since 2014.*
- 7. The number of female probationary pregnant Garda who have had time off to attend their antenatal appointments, each year since 2014.*

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8. *The number of female probationary post pregnant Garda who received an intervention due to a failed the physical fitness test within 12 months of their delivery date every year since 2014.*
9. *The number of female probationary Garda who have a second pregnancy within their probationary period, each year since 2014.*
10. *The number of female probationary Garda who have a third pregnancy within their probationary period, each year since 2014.*
11. *The number of female probationary Garda who have had their probationary period extended due to pregnancy since 2014.*
12. *The number of female probationary Garda who have completed their probationary period without finishing all assessments within that probationary and or training period since 2014.*
13. *The total number of active members of An Garda Síochána who hold a BA in Applied Policing achieved before 2014.*
14. *The number of complaints of bullying due to gender or sexual harassment have been made since 2014.*
15. *The number of complaints of bullying on grounds of gender or sexual harassment that have been upheld since 2014.*
16. *The number of complaints of bullying on grounds of gender or sexual harassment that have been dismissed since 2014.*
17. *The total number, through all ranks, of An Garda Síochána who have received disciplinary measures for complaints being upheld against them for bullying or sexual harassment actions since 2014.*

I wish to inform you that I have decided to part- grant your request on the 19th December 2022.

The purpose of this letter is to explain that decision.

1. Findings, particulars and reasons for decision

Upon receipt, your request was forwarded to the relevant sections of An Garda Síochána to retrieve the information requested by you and a number of records have been identified. I have numbered your requests for ease of reference.

In respect of Parts 1 – 7, and Parts 9 - 10 of your request, I have been advised as follows. Records in respect of maternity or paternity leave taken by probationer Gardai are maintained at their local Divisional Office. The Garda Employee Management System (GEMS) contains records in respect of members availing of maternity and paternity leave. During their probationary period members on probation hold the rank of Garda. Therefore, in order to obtain the statistics sought in these parts of your request it would be necessary to examine each individual instance of a Garda member being recorded as on maternity/paternity leave to determine if the individual member was a probationer at the time of maternity/paternity leave. Such searches would also be required to determine if members who had availed of maternity leave subsequently returned to training. Records in respect of members taking time off to attend antenatal appointments are also held at local Divisional Office level and would require a search of each individual Divisional Office.

Given the number of records required to be examined in order to provide a response to Parts 1 – 7, and Parts 9 - 10, I am refusing these parts of your request in accordance with Section 15(1)(c). Section 15(1)(c) states that:

15. (1) *A head to whom an FOI request is made may refuse to grant the request where—*

(c) in the opinion of the head, granting the request would, by reason of the number or nature of the records concerned or the nature of the information concerned, require the retrieval and examination of such number of records or an examination of such kind of the records concerned as to cause a substantial and unreasonable interference with or disruption of work (including disruption of work in a particular functional area) of the FOI body concerned,

In respect of Parts 8 and 11 of your request, I must also refuse these parts of your request in accordance with Section 15(1)(c). An examination of the personal file of each individual female member who had availed of maternity leave would be required in order to establish if that member had had a subsequent intervention during their period of probation or had their period of probation extended.

In reply to Part 12 of your request, I can advise that it is not possible for a Garda member to complete their probation period without having completed all assessments. In accordance with Section 12(2) of the Garda Síochána (Admissions and Appointments) Regulation 2013 (SI No 470 of 2013), Garda members pause probation while on maternity/paternity leave. Probationers returning from maternity/paternity leave slot in to the next probationer group relevant to their stage of training.

In relation to Part 13 of your request, I can confirm that the BA in Applied Policing commenced in September 2014. Therefore, no-one had this qualification prior to that date.

The table at Appendix A refers to Part 14, 15 and 16 of your request.

In regards to Part 17 of your request, 2 members received disciplinary measures for complaints upheld against them for bullying or sexual harassment actions since 2014.

2. Right of Appeal

In the event that you are not happy with this decision you may seek an Internal Review of the matter by writing to the address below and quoting reference number **FOI-000410-2022**.

Freedom of Information Office, An Garda Síochána, Athlumney House, IDA Business Park, Navan, Co. Meath, C15 ND62.

Please note that a fee applies. This fee has been set at €30 (€10 for a Medical Card holder). Payment should be made by way of bank draft, money order, postal order or personal cheque, and made payable to Accountant, Garda Finance Directorate, Garda Headquarters, Phoenix Park, Dublin 8.

Payment can be made by electronic means, using the following details:

Account Name: An Garda Síochána Imprest Account

Account Number: 30000302

Sort Code: 951599

IBAN: IE28DABA95159930000302

BIC: DABAIE2D

You must ensure that your FOI reference number FOI-000410-2022 is included in the payment details.

You should submit your request for an Internal Review within 4 weeks from the date of this notification. The review will involve a complete reconsideration of the matter by a more senior member of An Garda Síochána and the decision will be communicated to you within 3 weeks. The making of a late appeal may be permitted in appropriate circumstances.

Please be advised that An Garda Síochána replies under Freedom of Information may be released in to the public domain via our website at www.garda.ie

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

Should you have any questions or concerns regarding the above, please contact the FOI Office by telephone at (046) 9036350.

Yours sincerely,



ASSISTANT PRINCIPAL

PAUL BASSETT

FREEDOM OF INFORMATION OFFICER

19th **DECEMBER 2022**

