

# 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 DR90



Freedom of Information Office,  
An Garda Síochána, Athlumney House,  
IDA Business Park,  
Johnstown, Navan,  
Co Meath.  
C15 DR90

Teileafón/Tel: (046) 9036350

Láithreán Gréasain/Website:

[www.garda.ie](http://www.garda.ie)

Bí linn/Join us  

Ríomh-phoist:/Email: [foi@garda.ie](mailto:foi@garda.ie)

## Re: Freedom of Information Request FOI-000351-2017 Request Partially Granted

**Dear**

I refer to your request, dated the 7<sup>th</sup> August 2017 and received on the 10<sup>th</sup> August 2017 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:

*'Information on the current salaries of each of the sergeants, inspectors, superintendents and chief superintendents (by name) in each of the following divisions - Sligo/Leitrim and Roscommon/Longford - along with the expenses paid to each in (a) 2016 and (b) 2017'*

I wish to inform you that I have decided to partially grant your request on the 21<sup>st</sup> November 2017.

The purpose of this letter is to explain that decision.

1

## 1. Findings, particulars and reasons for decision

The sections of the Act which deny access to information are known as its exemptions.

Part 1 of your request sought *'the current salaries of each of the sergeants, inspectors, superintendents and chief superintendents (by name) in each of the following Divisions – Sligo/Leitrim and Roscommon/Longford'*

Both the Human Resource Management Section and the Finance Directorate were contacted in respect of the current salaries for each of the above ranks by name as per your request.

### ***Personal Information***

The FOI Act places certain restrictions on the release of information held by an FOI body, such as An Garda Síochána, that is considered 'personal information'. Personal information, as defined at Section 2 of the FOI Act, means information about an identifiable individual that, either—

#### 2. (1) In this Act—

*"personal information" means information about an identifiable individual that, either—*

- (a) would, in the ordinary course of events, be known only to the individual or members of the family, or friends, of the individual, or*
- (b) is held by an FOI body on the understanding that it would be treated by that body as confidential,*

*and, without prejudice to the generality of the foregoing, includes—*

- (ii) information relating to the financial affairs of the individual*

In this regard, the current salary scales for each of the sergeants, inspectors, superintendents and chief superintendents (by name) as requested by you is, in my opinion, personal information as per section 2 above. The record contains financial information that would only be known to a limited number of persons and is information relating directly to an identifiable individual. Therefore, in accordance with Section 37(1) of the Freedom of Information Act, as it is my opinion that the information is personal information I am refusing to release the records in the format requested. Section 37 is a mandatory exemption and states,

*37 (1) Subject to this section, a head shall refuse to grant an FOI request if, in the opinion of the head, access to the record concerned would involve the disclosure of personal information (including personal information relating to a deceased individual).*

In applying Section 37 of the Freedom of Information Act, a public interest test must be applied to ensure the actions taken are done so with cognisance of the needs of the public.

### **Public Interest Test**

I have considered the public interest issues which arise in this case and have taken account of the following factors in favour of release:



- Ensuring openness and transparency of Organisational functions to the greatest possible extent,
- The right to privacy is outweighed by the needs of the public.
- The public interest in members of the public exercising their rights under the FOI Act,

In considering the public interest factors which favour withholding the records, I have taken account of the following:

- Allowing a public body to hold personal information without undue access,
- The public interest is not best served by releasing these records,
- That the Organisation can conduct its business in a confidential manner,
- That there is a reasonable and implied expectation by employees that sensitive personal information will remain confidential.

A Public Interest Test was carried out when considering the release of salary scales of the ranks of Sergeant, Inspector, Superintendent and Chief Superintendent (by name) as per your request. Having balanced the factors both for and against the release, I decided that the public interest in preserving the personal financial information of Garda members and the reasonable expectation that information can be maintained in a confidential manner by An Garda Síochána outweighs the public interest which would be served were the records released to you.

There is also an implied reasonable expectation by Garda members that this type of financial information would remain confidential and not be released into the public domain. The release of pay scales for An Garda Síochána in previous FOI Request satisfies the public interest in this instance.

The current pay scales for existing members of An Garda Síochána are available on the Garda website and are effective from 1<sup>st</sup> July 2013. They may be accessed via the following link:

[www.garda.ie/Documents/User/Garda%20Pay%20Scales%202015.pdf](http://www.garda.ie/Documents/User/Garda%20Pay%20Scales%202015.pdf).

These pay scales are broken down into 'Class A' and 'Class B' categories which identifies the rate of PRSI contribution which applies to the individual. Class A rate of pay is applicable to those members who joined the organisation on or after 6<sup>th</sup> April 1995. Class B rate of pay is applicable to those members who were serving in the organisation before 6<sup>th</sup> April 1995.

In addition to the above, the new pay scales which were introduced to those members of An Garda Síochána who commenced employment with effect from July 2013 is also available on the Garda website and may be accessed by following the attached link:

[www.garda.ie/Documents/User/Garda%20Pay%20Scale%20as%20of%20the%201.1.16.pdf](http://www.garda.ie/Documents/User/Garda%20Pay%20Scale%20as%20of%20the%201.1.16.pdf)

The second part of your request sought '*the expenses paid to each in (a) 2016 and (b) 2017*'.

In respect of expenses claimed by members, I am to advise you that I am refusing to provide the breakdown of expenses paid to each member within these ranks for each Division. In order to retrieve the expenses paid to each member would require obtaining the names of all members attached to each Division and running a separate report on each member to determine if expenses were claimed and subsequently paid. This would cause a substantial

disruption to the workings of the section. Therefore, I am refusing your request under Section 15(1)(c) of the FOI Act which states:

***Refusal on Administrative grounds to grant FOI requests***

*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 or work (including disruption of work in a particular functional area) of the FOI body concerned.*

However, I am in a position to provide you with the overall expenses paid to the Chief Superintendents and Superintendents for 2016 and from 1<sup>st</sup> January to 31<sup>st</sup> July 2017 for both the Roscommon/Longford and Sligo/Leitrim Divisions. Please see a breakdown of these expenses outlined in the tables below.

**Roscommon-Longford Division:-**

**January – December 2016**

<b><u>Rank</u></b>	<b><u>Home Travel &amp; Subsistence</u></b> €	<b><u>Foreign Travel &amp; Subsistence</u></b> €	<b><u>Official Entertainment</u></b> €	<b><u>Incidental</u></b> €	<b><u>Grand Total</u></b> €
<b>C/Superintendent &amp; Superintendent</b>	63,045	0	3,152	1,186	67,384

**January - July 2017**

<b><u>Rank</u></b>	<b><u>Home Travel &amp; Subsistence</u></b> €	<b><u>Foreign Travel &amp; Subsistence</u></b> €	<b><u>Official Entertainment</u></b> €	<b><u>Incidental</u></b> €	<b><u>Grand Total</u></b> €
<b>C/Superintendent &amp; Superintendent</b>	31,699	0	1,725	220	33,643



## Sligo/Leitrim Division:-

### January – December 2016

<u>Rank</u>	<u>Home Travel &amp; Subsistence</u> €	<u>Foreign Travel &amp; Subsistence</u> €	<u>Official Entertainment</u> €	<u>Incidental</u> €	<u>Grand Total</u> €
<b>C/Superintendent &amp; Superintendent</b>	32,791	518	1,475	0	34,784

### January – July 2017

<u>Rank</u>	<u>Home Travel &amp; Subsistence</u> €	<u>Foreign Travel &amp; Subsistence</u> €	<u>Official Entertainment</u> €	<u>Incidental</u> €	<u>Grand Total</u> €
<b>C/Superintendent &amp; Superintendent</b>	3,967	0	728	0	4,695

To ensure that the statutory and administrative requirements for the use of public funds are complied with, Senior Management Expenses are processed and paid in line with Department of Public Expenditure & Reform Provisions & Guidelines and in compliance with the Expenses Regulations and Procedures governing An Garda Síochána as well as being subject to Internal and External audits.

The following is an explanation of the categories of expenses that have been claimed.

#### **Domestic Subsistence & Travel**

Domestic subsistence and travel can be driven by operational demands at any given time at Regional & National level. In addition, Garda senior management are frequently required to attend various governance boards, management meetings and public forums.

#### **Foreign Travel**

Out of State travel is under taken by Garda senior management for the purposes for crime investigation, immigration matters, exchange of information with external police forces and agencies abroad, conferences and training courses connected with advancement in policing methods & techniques, safe guarding state security and other security based purposes.

#### **Official Entertainment**

This expenditure relates to refunds for refreshments and out of pocket expenses incurred by Superintendents and Chief Superintendents. These expenses are payable in respect of fully vouched claims subject to annual limits. These expenses can arise from a requirement of Senior Management to facilitate official business meetings often at short notice where refreshments are provided to attendees.

## 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-000351-2017**.

***Freedom of Information Office, An Garda Síochána, Athlumney House, IDA Business Park, Johnstown, Navan, Co. Meath C15 DR90***

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:** Garda Síochána Finance Section Public Bank Account  
**Account Number:** 10026896  
**Sort Code:** 900017  
**IBAN:** IE86B0F190001710026896  
**BIC:** BOFIIIE2D

**You must ensure that your FOI reference number (FOI-000351-2017) 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](http://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 me by telephone at (046) 9036350.

Yours sincerely,

 **SUPERINTENDENT**  
**HELEN DEELY**  
**FREEDOM OF INFORMATION OFFICER**

21<sup>st</sup> **NOVEMBER 2017**