

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

Ríomh-phoist/Email: foi@garda.ie

Mr. Sean Dunne

Re: Freedom of Information Request FOI-000355-2017 Request Refused

Dear Mr. Dunne,

I refer to your request, dated and received on the 11th 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:

'1: The full cost to An Garda Síochána for sick leave absences in 2015 & 2016.

2: A break down by county of how money the sick leave cost for example in county Laois, Offaly etc'.

I wish to inform you that I have decided to refuse your request on the 22nd August 2017.

The purpose of this letter is to explain that decision.

1. Findings, particulars and reasons for decision

The Human Resources and People Development section were contacted to identify the records relating to your request.

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

As advised in previous correspondence from this office dated 3rd August 2017, the new Public Service Sick Leave Scheme was introduced from 31st March 2014. The Public Service Management (Sick

Leave) Regulations 2014, made by the Minister for Public Expenditure and Reform set out the terms of the new Public Service Sick Scheme.

The rationale for the new scheme is to increase productivity, and lower the cost of sick leave by reducing the periods during which paid sick leave will be available and capping the period during which “temporary rehabilitation remuneration”, formerly “pension rate of pay”, may be paid.

Part 1 of your request sought ‘*The full cost to An Garda Síochána for sick leave absences in 2015 & 2016*’. In this regard, I am refusing this information under Section 15(1)(d) 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*
(d) *the information is already in the public domain ,*

The annual cost of sick leave for members of An Garda Síochána for 2015 and 2016 are available on the Department of Public Expenditure and Reform website which may be viewed by following the links below:

<http://hr.per.gov.ie/wp-content/uploads/Sectoral-Statistics-2016-and-Trends-2013-2016.pdf>

<http://hr.per.gov.ie/wp-content/uploads/Sectoral-Statistics-2015-and-Trends-2013-2015-1.pdf>

The Department of Public Expenditure decided not to report on sick leave as a result of Injury on Duty and reported on Ordinary Illness for all the Public Service. A methodology for the adjustment of the costs for sick leave to take into account periods of half pay and Temporary Rehabilitative Remuneration and unpaid sick leave was also introduced. This methodology has also been applied to the 2015 and 2016 sick leave costs as outlined in the above attachments.

In relation to the second part of your request wherein you are seeking ‘*a break down by county of how money the sick leave cost for example in county Laois, Offaly etc*’, I am to advise you that I am refusing your request under Section 15(1)(c) of the Freedom of Information 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 of work (including disruption of work in a particular functional area) of the FOI body concerned.

The cost of sick leave Garda members is based on the mid-point of the PPC scale for each rank. The figure relates to salaries only and do not include the cost of allowances. An Garda Síochána Garda Divisions do not necessarily align with the county borders for example the County of Cork is made up of three Garda Divisions, Cork, City, Cork West and Cork North. Furthermore some Garda Divisions comprise of more than one county i.e. Kilkenny/Carlow and Sligo/Leitrim. In order to provide the total costs of sickness and absences for the 29 Operational Garda Divisions would require correlating the allowances applicable for the member concerned and calculating the proportional amount for the absence. This would cause a substantial and unreasonable disruption to the Human Resources and People Development section of An Garda Síochána to inspect all records held to identify these costs.

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 **F01-000355-2017**.

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: BOFIE2D

You must ensure that your FOI reference number 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 me by telephone at (046) 9036350.

Yours sincerely,

 SUPERINTENDENT
HELEN DEELY
FREEDOM OF INFORMATION OFFICER

24th AUGUST 2017