

# 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)

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

## Re: Freedom of Information Request FOI-000413-2017 Part Grant

*Dear*

I refer to your request, dated and received on 19<sup>th</sup> September, 2017 under the Freedom of Information Act 2014 (FOI Act) for records held by An Garda Síochána. I also refer to email correspondence with this Office dated 25<sup>th</sup> September 2017 in which you clarified your request. I refer further to correspondence from this Office dated 16<sup>th</sup> October 2017 extending your request.

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:

### **Initial Request:**

*I wish to make a request under the Freedom of Information Act in relation to An Garda Síochána's career break scheme.*

- 1. Specifically I am looking for the number of gardai who have taken a career break since its introduction in 2014 (broken down by year) until present & what division they belong to.*

2. *In regards to those who are currently on a career break, could I request how long they have been on leave and when do these leave periods expire.*
3. *I would also like to request the number of how many have applied for leaves of absence between now and the end of 2017.*

**Clarified Request:**

*Figures relating to both the incentivised career break scheme which was introduced in 2014 and the long established career break scheme.*

Please note that I have numbered your initial request for ease of reference throughout my findings.

I wish to inform you that I have decided to part grant your request on 1<sup>st</sup> November, 2017.

The purpose of this letter is to explain my decision.

**1. Findings, particulars and reasons for decision**

Upon receipt, the details of your request were forwarded to the Human Resource Directorate of An Garda Síochána who conducted a search for records containing the information you have requested.

I am partially granting Part 1 and Part 2 of your request in which you sought: *‘Specifically I am looking for the number of gardai who have taken a career break since its introduction in 2014 (broken down by year) until present & what division they belong to’* and *‘In regards to those who are currently on a career break, could I request how long they have been on leave and when do these leave periods expire.’*

The long established career break scheme provides that Garda members may be granted special leave without pay for a period of not less than 6 months and not more than 5 years.

All members who have satisfactorily completed their probationary period and who have not reached minimum retirement age may apply for special leave without pay in the form of a career break. The exigencies of the service may require that some applications may be refused but members will be facilitated as far as is possible. A career break may be granted for the following reasons: further education, domestic responsibilities, child minding and provision to travel abroad. A member may apply to have a career break extended, provided the period of leave does not exceed five years in total. The maximum period of special leave without pay in the lifetime of a member’s full service in An Garda Síochána shall not exceed five years within this career break scheme.

In addition to the aforementioned career break scheme, pursuant to the terms of the Public Service Stability (Haddington Road) Agreement 2013-2016, the Garda Commissioner gave approval for an Incentivised Career Break Scheme for members of An Garda Síochána commencing in 2014. The Incentivised Career Break Scheme was introduced as a once-off scheme for a period of three continuous years. The scheme was open to all members who had completed 12 months continuous service, post attestation and had been confirmed in their appointment.



Successful applicants for an incentivised career break under this scheme who were working in a full time capacity were paid an incentive payment of a third of gross basic pay to a maximum of €12,000 per year, for each year of the 3 year period of the incentivised career break. A second payment option was also offered in lieu of the above whereby members working full time had the option to take a once off payment of 75% of gross basic pay to a maximum of €30,000 at the outset of the incentivised career break. These amounts were reduced pro rata for any person on reduced working hours under the work-sharing arrangements.

Please find attached the record you have requested at Appendix A. The spreadsheet provides the number of Gardaí on both the long established career break and incentivised career break schemes broken down by Division and expiry date since 1<sup>st</sup> January 2014.

Please note that a number of members have been granted ordinary career breaks at the end of the term of their incentivised career break. Any member who had already availed of a career break or was on a career break at the time was entitled to apply for inclusion in the incentivised career break scheme. The five year limit did not apply in respect of this particular scheme, for e.g. where a member had already taken a career break(s) totalling five years, they were entitled to apply for the incentivised scheme which would bring the total time on career break to eight years (upon approval). Such occurrences are indicated on the spreadsheet.

The Sections of the FOI Act which deny access to information are known as exemptions.

### **Personal Information, Section 37**

I am refusing the release of specific information which has been redacted accordingly on the attached record. I am satisfied that the information that has been refused as outlined in the attached Schedule of Records is of a personal nature in accordance with the provisions of section 37 of the FOI Act.

I am conscious of my obligations to retain personal information in a confidential and secure manner and prevent personal information from being released into the public domain unnecessarily. Personal information is defined at section 2 of the FOI Act and includes the following.

### ***Section 2 – Interpretation***

#### **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,*

I am refusing to provide the information that has been redacted within the attached record as this information relates to the specific start/end dates of the career breaks of individual Garda members. I am of the belief that this specific information would be only known to those individuals or members of the family, or friends, of those individuals and is therefore

considered personal information. I also believe that if this information was released it would be considered a breach of the confidentiality upon which the information is being held by the Garda Organisation. The release of this information, which is specific to an individual(s) Garda member within certain Divisions, will allow for a person(s) to become more identifiable and possibly named in the public domain. I am therefore applying Section 37(1) Personal Information which states:

### ***Section 37 - Personal Information***

**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).*

There is a Public Interest Test applicable to section 37 of the FOI Act.

### **Public Interest Test**

As per section 37 of the FOI Act 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 public interest in members of the public exercising their rights under the FOI Act,
- The right to privacy is outweighed by the needs of the public.

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 by members of the public,
- The public interest is not best served by releasing these records,
- That there is no overriding public interest that outweighs the individual's right to privacy.

A public interest test was carried out when considering the release of this personal information but having balanced the factors both for and against the release, I decided that the public interest in preserving the personal information 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.

However, in order to assist you I am providing the month and year of the expiry of career breaks per Division as outlined in Appendix A.

I am granting Part 3 of your request in which you sought '*...the number of how many have applied for leaves of absence between now and the end of 2017*'.

Six members of An Garda Síochána have been granted a career break to commence between 19<sup>th</sup> September 2017 (date of your request) and the end of 2017.



Further information regarding the incentivised career break and career breaks are available on the Garda Síochána Annual Reports which are available on the Garda Website under the Tab Publications at [www.garda.ie](http://www.garda.ie).

## 2. Right of Appeal

In the event that you are not happy with this decision you may seek an Internal Review by writing to the address below and quoting reference number **FOI-000413-2017**.

**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-000413-2017) 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**

1<sup>st</sup> NOVEMBER 2017

Requester Name:		File Re: FOI-000413-2017			
Page No	Description of document	Deletions	Relevant Section of FOI Acts	Reason for decision	Decision Maker's decision
1	Career Breaks commenced since 1st January 2014	90	Section 37(1)	Personal Information	Part Grant
2	Career Breaks commenced since 1st January 2014	100	Section 37(1)	Personal Information	Part Grant
3	Career Breaks commenced since 1st January 2014	100	Section 37(1)	Personal Information	Part Grant
4	Career Breaks commenced since 1st January 2014	98	Section 37(1)	Personal Information	Part Grant
5	Career Breaks commenced since 1st January 2014	100	Section 37(1)	Personal Information	Part Grant
6	Career Breaks commenced since 1st January 2014	2	Section 37(1)	Personal Information	Part Grant
		<b>Total number of pages</b>			<b>6</b>
		<b>Total number of pages for full release</b>			<b>0</b>
		<b>Total number of pages for partial release</b>			<b>6</b>
		<b>Total number of pages being withheld</b>			<b>0</b>

**APPENDIX A**

**FOI-000-413-17**

**Career Breaks commenced since 1st January 2014 (figures correct as of 31st October 2017)**

<b>Division</b>	<b>Start Date</b>	<b>End Date</b>	<b>End Date (Month/Year)</b>	<b>ICB(Incentivised Career Break) CB(Ordinary Career Break)</b>
Carlow/Kilkenny			February 2018	ICB
Carlow/Kilkenny			February 2018	ICB
Cavan/Monaghan			February 2018	ICB
Cavan/Monaghan			February 2018	ICB
Cavan/Monaghan			February 2018	ICB
Cavan/Monaghan			February 2018	ICB
Cavan/Monaghan			February 2018	ICB
Cavan/Monaghan			September 2016	CB
Cavan/Monaghan			October 2018	CB
Clare			January 2017	ICB
Clare			December 2017	ICB
Clare			December 2017	ICB
Clare			February 2018	ICB
Clare			February 2018	ICB
Clare			March 2018	ICB
Cork City			May 2017	ICB
Cork City			June 2017	ICB
Cork City			September 2018	ICB & CB
Cork City			January 2016	ICB
Cork City			January 2018	ICB
Cork City			January 2018	ICB
Cork City			January 2018	ICB
Cork City			January 2018	ICB
Cork City			February 2018	ICB
Cork City			February 2018	ICB
Cork City			February 2018	ICB
Cork City			February 2018	ICB
Cork City			May 2018	CB
Cork North			January 2018	ICB
Cork North			April 2017	CB
Cork North			December 2017	CB
Cork West			March 2017	ICB
Cork West			June 2017	ICB
DMR East			July 2017	ICB
DMR East			July 2017	ICB
DMR East			July 2018	ICB & CB
DMR East			August 2017	ICB
DMR East			October 2016	ICB
DMR East			January 2018	ICB
DMR East			February 2018	ICB
DMR East			February 2018	ICB
DMR East			February 2018	ICB
DMR East			February 2018	ICB
DMR East			May 2018	ICB
DMR East			August 2018	ICB



**APPENDIX A**

DMR East			December 2017	CB
DMR NC			January 2015	CB
DMR NC			March 2017	ICB
DMR NC			May 2018	ICB & CB
DMR NC			May 2017	ICB
DMR NC			May 2017	ICB
DMR NC			June 2018	ICB & CB
DMR NC			September 2018	ICB & CB
DMR NC			September 2017	ICB
DMR NC			December 2015	CB
DMR NC			December 2017	ICB
DMR NC			January 2018	ICB
DMR NC			January 2018	ICB
DMR NC			February 2018	CB
DMR NC			February 2018	ICB
DMR NC			February 2018	ICB
DMR NC			February 2018	ICB
DMR NC			February 2018	ICB
DMR NC			February 2018	ICB
DMR NC			February 2018	ICB
DMR NC			February 2018	ICB
DMR NC			February 2018	ICB
DMR NC			February 2018	ICB
DMR NC			February 2018	ICB
DMR NC			February 2016	CB
DMR North			March 2018	ICB & CB
DMR North			April 2018	ICB & CB
DMR North			June 2017	ICB
DMR North			August 2017	ICB
DMR North			August 2018	ICB & CB
DMR North			September 2017	ICB
DMR North			October 2017	ICB
DMR North			December 2017	ICB
DMR North			June 2017	ICB
DMR North			January 2018	ICB
DMR North			January 2018	ICB
DMR North			December 2015	ICB
DMR North			February 2018	ICB
DMR North			March 2016	CB
DMR North			June 2016	CB
DMR North			January 2018	CB
DMR North			November 2018	CB
DMR SC			March 2017	CB
DMR SC			April 2017	ICB
DMR SC			June 2018	ICB & CB
DMR SC			January 2017	ICB
DMR SC			July 2017	ICB
DMR SC			October 2017	ICB
DMR SC			December 2017	ICB
DMR SC			December 2017	ICB
DMR SC			December 2017	ICB
DMR SC			February 2018	ICB



APPENDIX A

DMR SC			February 2018	ICB
DMR SC			February 2018	ICB
DMR SC			February 2018	ICB
DMR SC			April 2017	ICB
DMR SC			February 2018	ICB
DMR SC			February 2018	ICB
DMR SC			February 2018	ICB
DMR SC			February 2018	ICB
DMR SC			February 2018	ICB
DMR SC			February 2018	ICB
DMR SC			October 2015	ICB
DMR SC			May 2018	ICB
DMR SC			November 2017	CB
DMR SC			July 2019	CB
DMR SC			September 2018	CB
DMR South			October 2017	ICB
DMR South			January 2018	ICB
DMR South			February 2018	ICB
DMR South			March 2017	CB
DMR South			July 2018	ICB
DMR South			December 2018	CB
DMR West			February 2015	CB
DMR West			September 2018	ICB & CB
DMR West			November 2017	ICB
DMR West			January 2018	ICB
DMR West			January 2018	ICB
DMR West			January 2016	CB
DMR West			February 2018	ICB
DMR West			February 2018	ICB
DMR West			February 2018	ICB
DMR West			February 2018	ICB
DMR West			February 2018	ICB
DMR West			October 2016	ICB
DMR West			June 2018	CB
DMR West			August 2018	CB
Donegal			August 2016	ICB
Donegal			February 2018	ICB
Donegal			February 2018	ICB
Donegal			February 2016	ICB
Donegal			February 2018	ICB
Donegal			January 2018	CB
Galway			May 2016	CB
Galway			June 2018	ICB & CB
Galway			August 2017	ICB
Galway			September 2019	ICB & CB
Galway			February 2018	ICB
Galway			February 2018	ICB
Galway			September 2018	CB
Kerry			January 2018	ICB
Kerry			April 2018	CB
Kildare			March 2019	CB
Kildare			August 2018	CB

**APPENDIX A**

Kilkenny/Carlow		March 2019	ICB & CB
Kilkenny/Carlow		February 2018	ICB
Kilkenny/Carlow		April 2017	CB
Laois/Offaly		January 2016	ICB
Laois/Offaly		August 2018	ICB & CB
Laois/Offaly		July 2018	ICB & CB
Laois/Offaly		September 2018	ICB & CB
Laois/Offaly		January 2018	ICB
Laois/Offaly		March 2017	CB
Limerick		July 2018	ICB & CB
Limerick		August 2017	ICB
Limerick		September 2017	ICB
Limerick		December 2016	ICB
Limerick		February 2018	ICB
Limerick		February 2018	ICB
Limerick		August 2015	ICB
Limerick		February 2018	ICB
Limerick		February 2018	ICB
Limerick		September 2016	ICB
Limerick		February 2018	ICB
Limerick		March 2018	ICB
Limerick		September 2017	CB
Limerick		December 2017	CB
Limerick		June 2018	CB
Louth		February 2018	ICB & CB
Louth		February 2018	ICB
Louth		August 2018	CB
Mayo		March 2019	ICB & CB
Mayo		January 2016	ICB
Mayo		June 2017	ICB
Mayo		October 2017	ICB
Mayo		February 2018	ICB
Mayo		July 2017	CB
Mayo		March 2018	CB
Meath		August 2016	ICB
Meath		December 2017	ICB
Meath		February 2018	ICB
Meath		February 2018	ICB
Meath		July 2018	CB
Roscommon/Longford		July 2017	ICB
Roscommon/Longford		December 2017	ICB
Sligo/Leitrim		March 2019	ICB & CB
Sligo/Leitrim		September 2017	ICB & CB
Tipperary		September 2017	ICB
Tipperary		September 2017	ICB
Tipperary		February 2018	ICB
Tipperary		February 2018	ICB
Tipperary		July 2017	CB
Traffic Div (DMR)		January 2018	ICB



**APPENDIX A**

Traffic Div (DMR)			February 2018	ICB
Waterford			January 2018	ICB
Waterford			February 2018	ICB
Waterford			August 2018	ICB
Westmeath			November 2017	ICB
Westmeath			October 2018	ICB & CB
Westmeath			March 2018	CB
Westmeath			June 2018	CB
Westmeath			July 2018	CB
Wexford			July 2018	ICB & CB
Wexford			July 2016	ICB
Wexford			December 2017	ICB & CB
Wexford			January 2018	ICB
Wexford			January 2018	ICB
Wexford			February 2018	ICB
Wexford			January 2019	ICB
Wexford			April 2017	CB
Wicklow			April 2017	ICB
Wicklow			June 2016	ICB
Wicklow			August 2017	ICB
Wicklow			September 2017	ICB & CB
Wicklow			September 2017	ICB
Wicklow			October 2017	ICB
Wicklow			October 2015	ICB
Wicklow			August 2016	CB
Wicklow			February 2017	CB
Wicklow			June 2017	CB
Wicklow			February 2018	CB
National Units & Garda HQ			February 2018	ICB
National Units & Garda HQ			July 2021	CB
National Units & Garda HQ			May 2019	ICB & CB
National Units & Garda HQ			September 2017	ICB
National Units & Garda HQ			June 2017	CB
National Units & Garda HQ			April 2016	CB
National Units & Garda HQ			December 2017	CB
National Units & Garda HQ			October 2018	ICB & CB
National Units & Garda HQ			February 2018	ICB
National Units & Garda HQ			November 2018	ICB & CB
National Units & Garda HQ			October 2017	CB
National Units & Garda HQ			November 2018	ICB & CB
National Units & Garda HQ			December 2016	ICB
National Units & Garda HQ			December 2017	ICB
National Units & Garda HQ			July 2018	ICB & CB
National Units & Garda HQ			June 2018	ICB
National Units & Garda HQ			July 2018	CB
National Units & Garda HQ			October 2017	ICB
National Units & Garda HQ			April 2018	CB
National Units & Garda HQ			November 2017	ICB
National Units & Garda HQ			November 2017	ICB
National Units & Garda HQ			July 2015	ICB

APPENDIX A

National Units & Garda HQ

[REDACTED]

[REDACTED]

April 2017

ICB