

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

Bí linn/Join us  

Ríomh-phoist:/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000484-2017 Request Part-Granted

Dear

I refer to your request, dated and received on the 31st October 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) *How many Gardai in Cavan/Monaghan Garda Division took maternity leave in 2015, 2016 and so far in 2017?*
- (2) *Was cover/back filling provided for the maternity leave?*
- (3) *How many maternity days were uncovered/not back filled?*
- (4) *How many Gardai in the Cavan/Monaghan Garda Division took paternity leave in 2016 and so far in 2017?*
- (5) *Was cover/back filling provided for the paternity leave?*
- (6) *How many paternity days were uncovered/not back filled?*

I wish to inform you that I have decided to part-grant your request on the 13th November 2017. I have numbered your request for ease of reference.

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The purpose of this letter is to explain that decision.

1. Findings, particulars and reasons for decision

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

Part 1 of your request sought ‘*How many Gardaí in Cavan/Monaghan Garda Division took maternity leave in 2015, 2016 and so far in 2017?*’. Under the Maternity Protection (Amendment) Act 2004, a female member of An Garda Síochána is entitled to 26 weeks consecutive weeks maternity leave, at the termination of which she may, on written application, be allowed to avail of up to 16 weeks additional leave without pay, commencing immediately after the end of maternity leave. Table A outlined below shows the number of members who availed of maternity leave in the Cavan/Monaghan Division in the years 2015, 2016 and up to 6th November 2017.

Table A: Maternity Leave – Cavan/Monaghan Division

| Year | Paid Maternity Leave |
|-------------|-----------------------------|
| 2015 | 10 |
| 2016 | 7 |
| 2017 | 7 |

Part 4 of your request sought ‘*How many Gardaí in the Cavan/Monaghan Garda Division took paternity leave in 2016 and so far in 2017?*’

Under the Paternity Leave and Benefit Act 2016 and with effect from 1st September 2016, new parents (other than the mother of the child) are entitled to paid paternity leave of 2 weeks following the birth or adoption of a child. This leave may be availed of at any time up to 26 weeks after the birth or adoption of a child. Please see Table B below which outlines the number of Gardaí who have availed for Paternity Leave in the Cavan/Monaghan Division in 2016 and up to 6th November 2017.

Table B: Paternity Leave – Cavan/Monaghan Division

| Year | Paternity Leave |
|-------------|------------------------|
| 2016 | 6 |
| 2017 | 14 |

Your request also sought information in respect of the following:

- (2) *Was cover/back filling provided for the maternity leave?*
- (3) *How many maternity days were uncovered/not back filled?*
- (5) *Was cover/back filling provided for the paternity leave?*
- (6) *How many paternity days were uncovered/not back filled?*

I am to advise you that I am refusing this information in accordance with Section 15(1)(a) of the Freedom of Information Act which states:

Refusal on Administrative Grounds to grant FOI requests:

15(1)(a) the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken,

No additional resources are assigned to a Division to cover or back fill members availing of maternity or paternity leave. It is the responsibility of each Divisional Officer (Chief Superintendent) to manage the resources within their Divisions to deal with such matters.

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-000484-2017**.

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-000484-2017) 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.

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

14th NOVEMBER, 2017