

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

Bí linn/Join us



Láithreán Gréasain/Website:

www.garda.ie

Ríomh-phoist/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000132-2018 Request Part-Granted

Dear

I refer to your request, dated 24th March 2018 and received on 26th March 2018 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:

A copy of a report prepared by or on behalf of the Garda Commissioner in relation to a Garda Internal Audit Service report dealing with payments to the IT consultancy Accenture; and all related documentation between the Departments of Justice, An Garda Síochána, and Department of An Taoiseach regarding this issue, from 1 October 2017 to date.

I wish to inform you that I have decided to part-grant your request on the 19th April 2018.

The purpose of this letter is to explain that decision.

1. Findings, particulars and reasons for decision

Upon receipt of your request, a search was conducted in the Office of the Garda Commissioner in respect of same. A number of records have been identified in this regard. I understand a member of staff from my office spoke with you today and advised that the records which were received from the Commissioner's Office contained 3 copies of the ICT Payment Process Audit report which you received as part of an FOI request on 13th December 2017. In this regard, it was agreed that this office would not provide copies of these records again. However, there were a number of other records identified which I herewith enclose in a redacted form. The reason for these redactions are outlined in the attached schedule of records.

Section 6(2)(a) of the FOI Act provides that an entity specified in Schedule 1, Part 1 of the Act shall, subject to the provisions of that Part, be a public body for the purposes of the FOI Act. Schedule 1, Part 1 contains details of bodies that are partially included for the purposes of the FOI Act and also details of the certain specified records that are excluded. If the records sought come within the description of the exclusions of Part 1, then the FOI Act does not apply and no right of access exists.

As previously advised, 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*". As a result, only the records that relate to human resources, finance or procurement are considered for release.

Therefore, I am refusing a number of records as outlined in the attached schedule of records as I deem them to be out of the scope of the FOI Act insofar as An Garda Síochána is concerned.

Section 37 - Personal Information

Information that is considered personal is not released under the provisions of the FOI Act when it refers to an identifiable individual and meets the definition as per section 2 of the FOI Act. Certain records or parts of records contained herein refers to personal information and are subject to the provisions contained in section 37 of the FOI Act.

Section 37 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).*

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,*

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

(iii) information relating to the employment or employment history of the individual,

The release of personal information, as outlined above, which is specific to an individual will allow for a person to become easily identifiable beyond the confines of family and friends as provided for under section 37. The exemption under Section 37 is applied to a number of the attached records where the information refers to individuals working in another FOI body.

There is a Public Interest Test applicable to section 37(1) of the FOI Act.

Public Interest Test

As per section 37 (5) 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 extent possible,
- The public interest in members of the public exercising their rights under the FOI Act,
- That there is more than just a transitory interest by the public in this information,
- 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 the Organisation can conduct its business in a confidential manner,
- That there is a reasonable and implied expectation by staff that personal information will remain confidential,
- 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 the personal information but having balanced the factors both for and against the release, I decided that the public interest in preserving the personal information outweighs the public interest which would be served were the records released to you.

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. I am of the opinion that the public interest is satisfied by the manner in which Section 37 of the FOI Act has been applied.

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-000132-2018**.

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-000132-2018) 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

19th APRIL, 2018

Requester Name:

Report dealing with payments to Accenture

File Re: FOI-000132-2018

Record No.	Page No	Description of document	Deletions	Relevant Section of FOI Acts	Reason for decision	Decision Maker's decision
1	1	Email correspondence from Commissioner's Office to Dept. of Justice & Equality entitled 'ICT Directorate Payments Process	1	Section 37(1)	Personal Information	Part-Grant
2	2	Email correspondence from Commissioner's Office to Secretary General, Department of Justice & Equality entitled 'ICT	1	Section 37(1)	Personal Information	Part-Grant
3	3-10	Email correspondence from Dept. of Justice & Equality to Commissioner's Office entitled 'Media Query'	13	Part 1(n) of Schedule 1 Section 37(1)	Out of Scope Personal Information	Part-Grant
4	11	Email correspondence from Dept. Justice & Equality to Commissioner's Office entitled 'Internal Audit Report'	2	Section 37(1)	Personal Information	Part-Grant
5	12-15	Email Correspondence from Commissioner's Office to Dept. of Justice & Equality entitled 'CMR_57-393196/17	4	Part 1(n) of Schedule 1 Section 37(1)	Out of Scope Personal Information	Part-Grant
6	16	Email correspondence from Dept. Justice & Equality to Commissioner's Office entitled 'Internal Audit Report - ICT Directorate Payments Process'	2	Section 37(1)	Personal Information	Part-Grant
7	17-19	Email correspondence from Dept. of Justice & Equality to Commissioner's Office entitled 'Media Query'	5	Part 1(n) of Schedule 1 Section 37(1)	Out of Scope Personal Information	Part-Grant

							19
							2
							8
							11

OReardon, Sean A

From: Commissioner
Sent: 26 January 2018 15:09
To: [REDACTED]
Subject: FW: ICT Directorate Payments Process Audit
Attachments: Final Report 31 08 2017 - ICT Payment Process IA_2-380317-17.docx

From: Commissioner
Sent: 26 January 2018 15:00
To: 'vamolloy@justice.ie' <vamolloy@justice.ie>
Subject: FW: ICT Directorate Payments Process Audit

Secretary General
Department of Justice and Equality

I am directed by the Acting Commissioner to forward the attached report for your information.

Seán O'Reardon
Inspector
Commissioner's Office

OReardon, Sean A

From: Commissioner
Sent: 26 January 2018 15:00
To: [REDACTED]
Subject: FW: ICT Directorate Payments Process Audit
Attachments: Final Report 31 08 2017 - ICT Payment Process IA_2-380317-17.docx

Secretary General
Department of Justice and Equality

I am directed by the Acting Commissioner to forward the attached report for your information.

Seán O'Reardon
Inspector
Commissioner's Office



Delaney, David J

From: Garda Obs <[REDACTED]>
Sent: 17 January 2018 17:49
To: Commissioner
Subject: FW: Media Query:
Attachments: pic20159.jpg; pic11833.jpg; pic28070.jpg; pic07487.jpg; pic28297.jpg; pic07518.jpg; pic08177.jpg; pic17773.jpg; pic32270.jpg; pic01763.jpg; pic02668.jpg; pic17192.jpg; pic13985.jpg; pic03102.jpg; pic08480.jpg; pic29213.jpg; pic07627.jpg

Categories: Red Category

Commissioner,

I refer to request below on information on "ICT Directorate Payments Process' and dated August 2017". Can you please forward a response to this request urgently Thanks Nora

Policing Division Obs
 Mail-In Query

From : "Mark J. Doyle" <[REDACTED]>
To: 'Commissioner' <Commissioner@garda.ie>,
cc: gardaobs <[REDACTED]>, "George B. Trimble" <[REDACTED]>, "Nora J. Lalor" <[REDACTED]>,
Date : 04/01/2018
Subject:FW: Media Query:

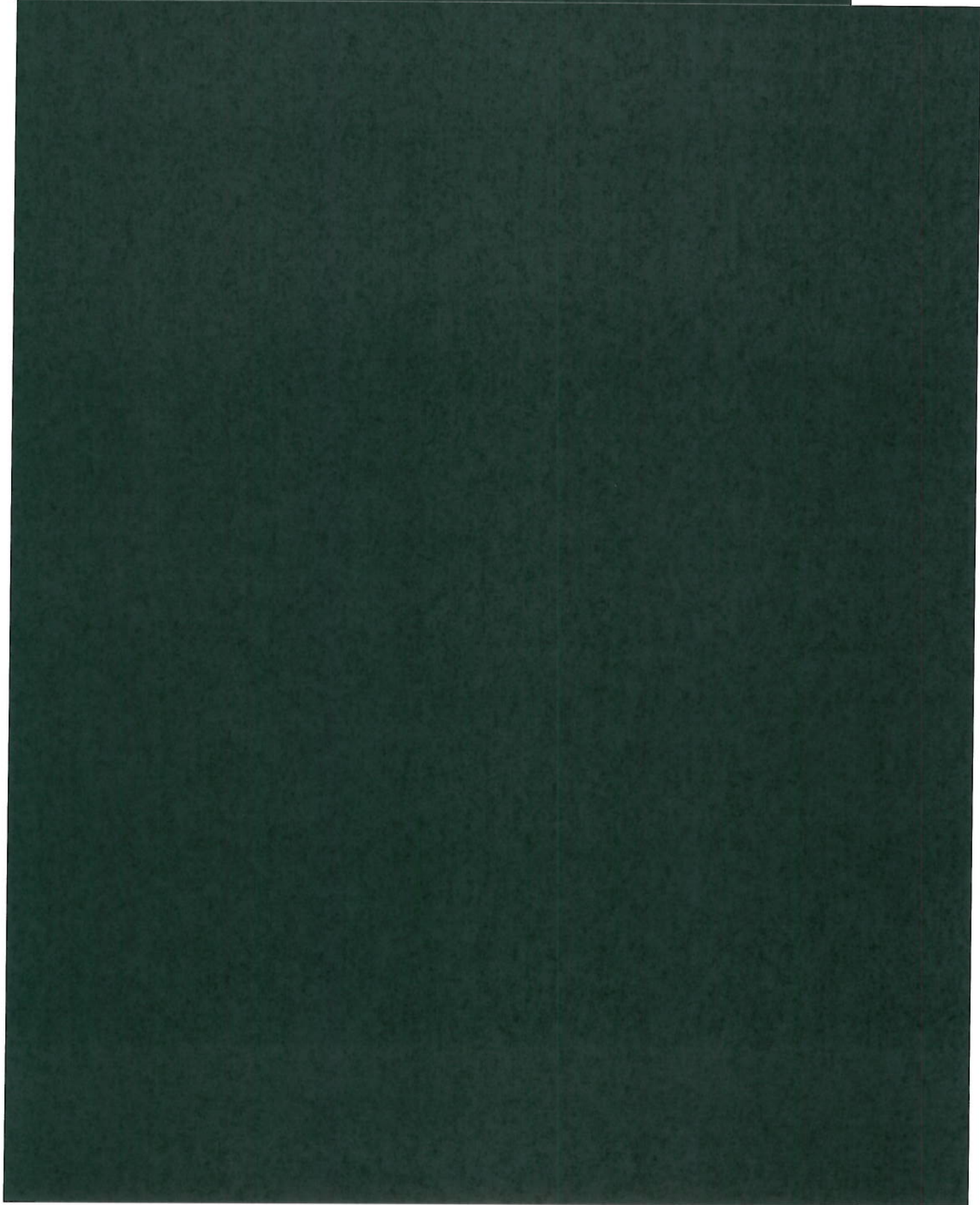
Commissioner

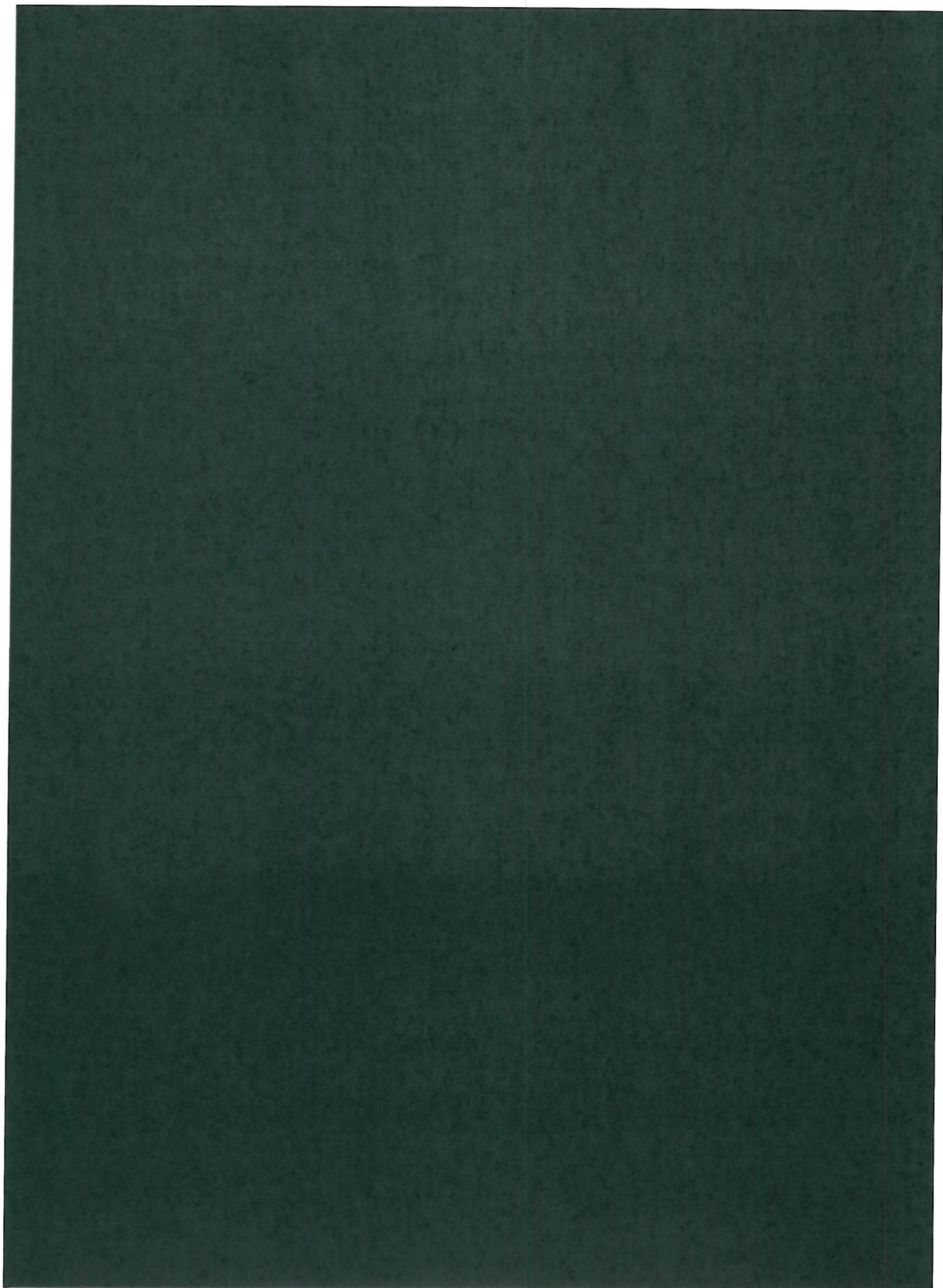
I have been asked to forward the attached query for your attention and to request some background material on the matter at your earliest convenience.

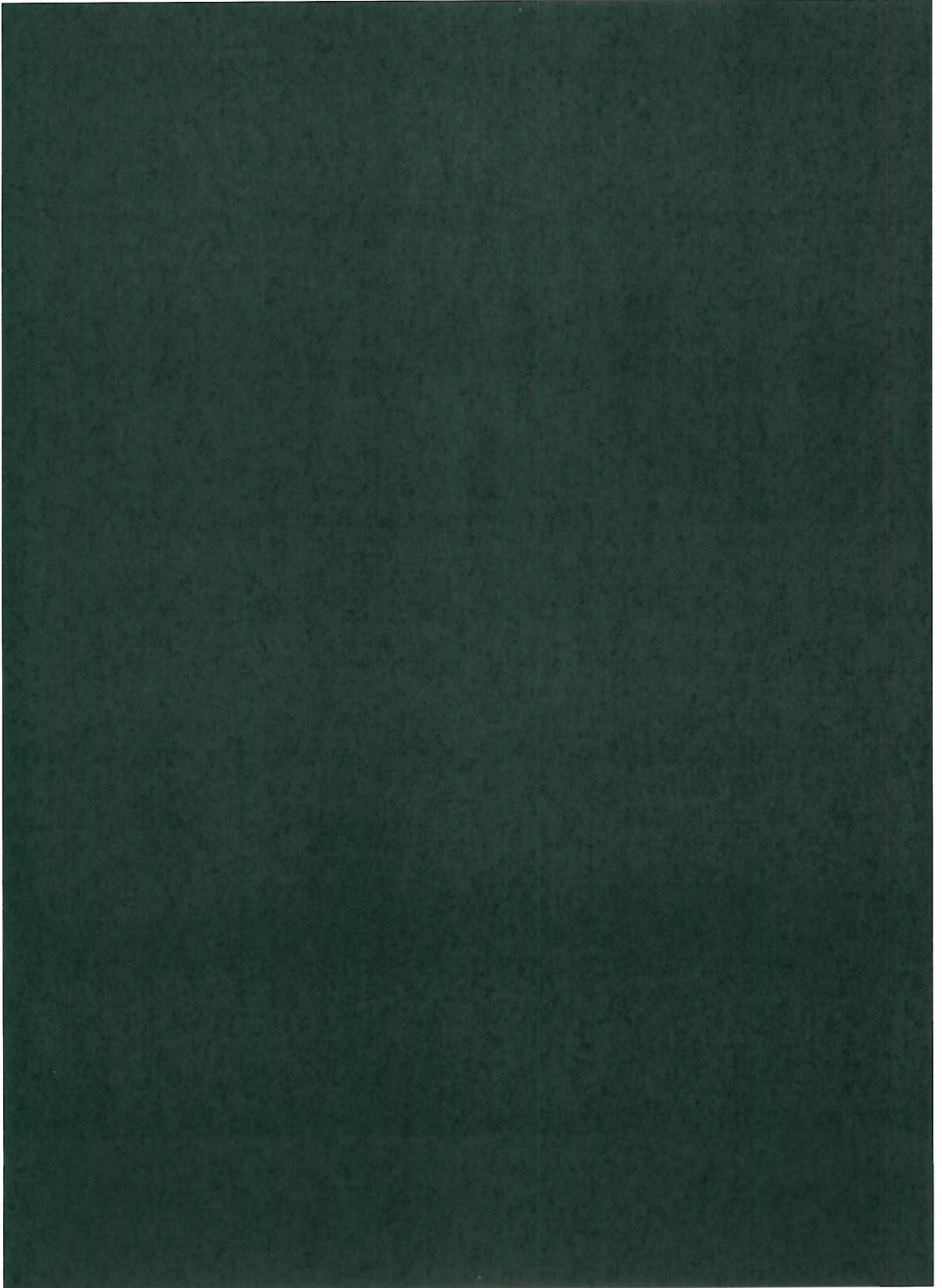
Yours sincerely

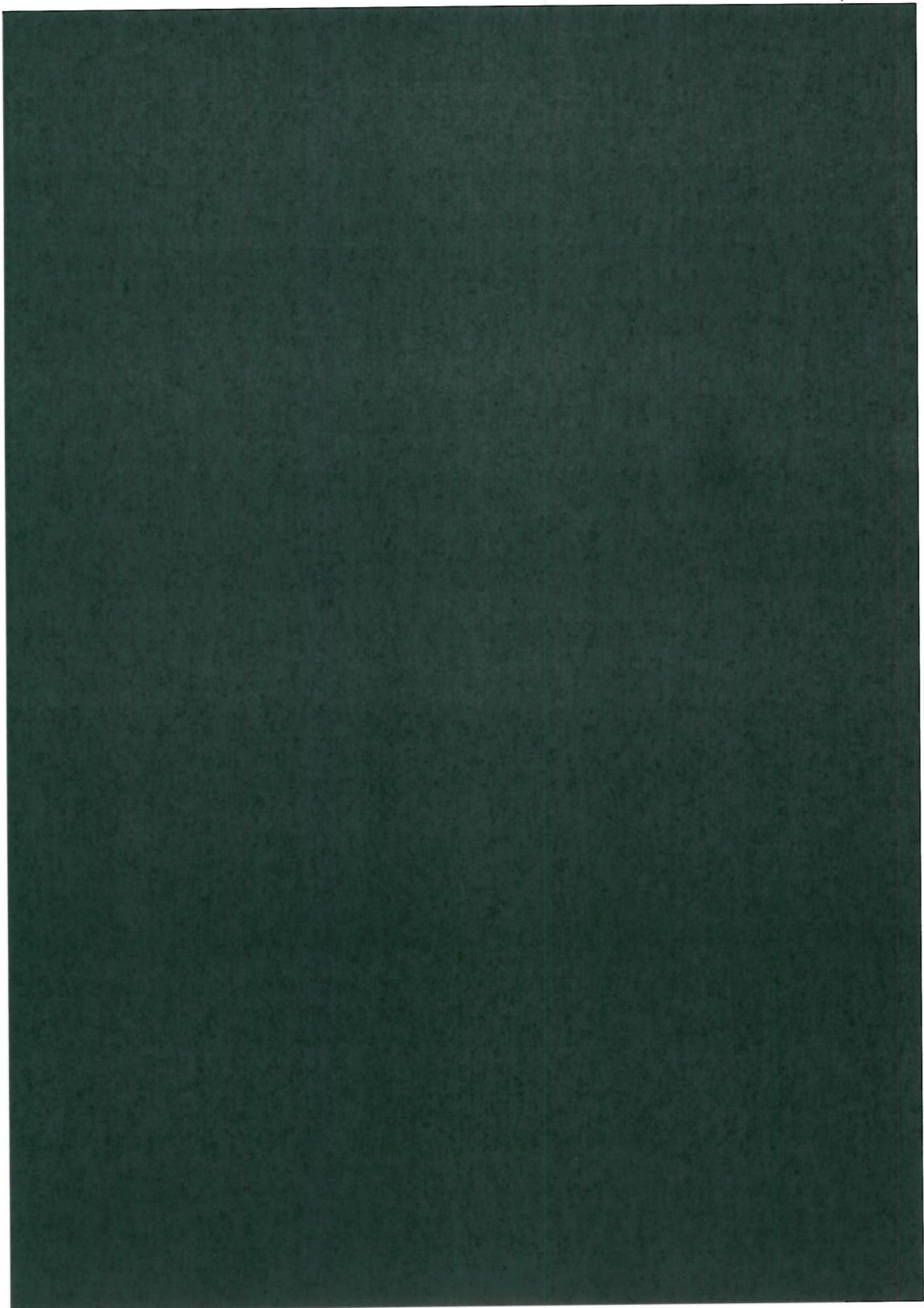
Mark Doyle

Mark Doyle
 Garda Síochána Section, Policing Division | Department of Justice and Equality | 51 St. Stephen's Green, Dublin -
 Eircode: D02 HK52, IRELAND. |









Delaney, David J

From: Val A. Molloy <[REDACTED]>
Sent: 15 January 2018 14:24
To: Commissioner
Cc: Tracey X. Germaine; Mark J. Doyle; Nora J. Lalor
Subject: Internal Audit Report
Attachments: CMR_57-393196-17.pdf

Categories: Red Category

F.A.O. Dermot Mann, Superintendent, Commissioner's Office

Thank you for the copy of the Internal Audit Report as requested but as this copy contains redactions I would be obliged if you would forward a copy without redactions as soon as possible.

PLEASE REPLY TO ALL

Val Molloy
 Policing Division
 51 St. Stephen's Green
 Dublin 2.



Is le haghaidh an duine nó an eintitis ar a bhfuil sí dírithe, agus le haghaidh an duine nó an eintitis sin amháin, a bheartaítear an fhaisnéis a tarchuireadh agus féadfaidh sé go bhfuil ábhar faoi rún agus/nó faoi phribhléid inti. Toirmisctear aon athbhreithniú, atarchur nó leathadh a dhéanamh ar an bhfaisnéis seo, aon úsáid eile a bhaint aisti nó aon ghníomh a dhéanamh ar a hiontaoibh, ag daoine nó ag eintitis seachas an faighteoir beartaithe. Má fuair tú é seo trí dhearmad, téigh i dteagmháil leis an seoltóir, le do thoil, agus scrios an t-ábhar as aon ríomhaire. Is é beartas na Roinne Dlí agus Cirt agus Comhionannais, na nOifigí agus na nGníomhaireachtaí a úsáideann seirbhísí TF na Roinne seoladh ábhair cholúil a dhícheadú. Más rud é go measann tú gur ábhar colúil atá san ábhar atá sa teachtaireacht seo is ceart duit dul i dteagmháil leis an seoltóir láithreach agus le mailminder[ag]justice.ie chomh maith.

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer. It is the policy of the Department of Justice and Equality and the Agencies and Offices using its IT services to disallow the sending of offensive material.

Should you consider that the material contained in this message is offensive you should contact the sender immediately and also mailminder[at]justice.ie.

Delaney, David J

From: Commissioner
Sent: 12 January 2018 16:18
To: [REDACTED]
Subject: CMR_57-393196/17
Attachments: CMR_57-393196-17.pdf

Please refer to attachment.

DERMOT MANN
SUPERINTENDENT
COMMISSIONER'S OFFICE

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An Garda Síochána

Oifig an Choimisinéara
Gnóthaí Corparáideacha
An Garda Síochána
Páirc an Fhionnuisce
Baile Átha Cliath 8
D08 HN3X



Office of the Commissioner
Corporate Affairs
Garda Headquarters
Phoenix Park
Dublin 8
D08 HN3X

Tel/Teileafón: (01) 66 62015/16/20

Fax/Facs: (01) 66 62013

Luaigh an uimhir tharaghta seo a leanas le do thoil:
Please quote the following ref. number:

Láithreán Gréasáin / Website:
www.garda.ie

Riomhpost / E-mail:
commissioner@garda.ie

BI linn/Join us  

CMR_57-393196/17

CONFIDENTIAL

Ms. Tracey Germaine
Finance and Resources
Department of Justice and Equality
51 St. Stephen's Green
Dublin 2
D02 HK52

Dear Ms. Germaine,

I am directed by the Acting Commissioner to forward the following by way of response:

Skilled Resource Contract

An Garda Síochána conducted a procurement process for the provision of services in relation to the maintenance of Garda IT infrastructure, testing of Garda IT infrastructure, provision of IT Service Desk services, procurement and provision of Software and Hardware and various ad hoc ICT and Management consulting Services. A number of tenders were submitted, one of which was that of Accenture. After an evaluation the proposal of Accenture was selected as being the most economically advantageous proposal to provide the said services. Accenture is a company providing software and hardware and ICT contract services and system development services and has considerable skill, knowledge and experience in that field.

The skilled resources contract with Accenture commenced in 2009 and allowed for extension up to and including 2013. It has been extended since and, although no specific sanction to extend the contract was sought at that time, An Garda Síochána had commenced preparations for a new procurement process in consultation with the Department of Justice & Equality. An Garda Síochána was subsequently made aware in 2015 that the Office of Government Procurement intended to establish a government wide framework for the provision of ICT

skilled resources of which An Garda Síochána could avail and to which public service bodies would be obliged to use. This new Office of Government Procurement (OGP) framework for skilled resources is only now available as and from August 2017. In December 2017 An Garda Síochána received approval from the Department of Public Expenditure & Reform (OGCIO) to proceed to procurement utilising the OGP framework and An Garda Síochána is now preparing to go to market accordingly. All contracts entered into under the new framework will use the newly approved OGP format.

An Garda Síochána provides a detailed breakdown of all ICT expenditure on an annual basis to the Department of Justice & Equality and ICT Control in the Department of Public Expenditure and Reform.

The permanent public servant cohort in ICT has been depleted by over 37% since 2008 due to reductions in staff imposed under the Employee Control Framework (ECF) and there has, of necessity, been an increasing reliance on external skilled resources. The ECF cap has now been relaxed and business cases for additional permanent staffing have been forwarded to the Human Resources Directorate. Fundamentally it is critical that Garda ICT has the skilled resources, both permanent and external as required, available with the necessary technical skills to ensure that our policing and national security systems are supported and available 24 x 7 for our operational resources. In the absence of sufficient numbers of permanent ICT staff with the requisite skills and experience there is of necessity a high degree of dependence on the main incumbent supplier of ICT skilled resources Accenture to support our critical information systems. There are challenges to transitioning to an alternative supplier especially in the absence of a sufficient number of permanent ICT staff currently in position to manage such a transition. This will have to be carefully considered and managed going forward.

The HR Strategy for ICT sets out the resources required to support the current ICT estate and the structure for expanding and contracting as required to support

2016 Expenditure

The Garda Internal Audit report refers to payments of €26.5m to Accenture in 2016. €9.4m of this figure relates to expenditure under the skilled resources contract for ICT. The Strategic Transformation Office also utilised the skilled resources contract to support that office in 2016 expending €3.5m.

The remainder of the expenditure to Accenture in 2016 relates to projects awarded under other specific contracts, for example the Schengen Information System and Major Investigations Management System which are being progressed under the Modernisation and Renewal Programme.

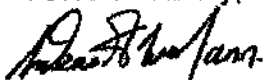
Time Recording

As of from the 1st of September 2017 all Accenture Staff under the skilled resource contract are subject to the Electronic Time Recording System.

Previously all contract resources were subject to the same process of individual timesheet verification initially paper based and then a gradual move to electronic time recording as this technology became available. The electronic recording system for contractors was in use in one specific area only of the IT Section until last year. Garda IT Management recognise that the electronic recording system provides greater efficiency in the timesheet monitoring and verification process and have therefore last year, following the work with the Internal Audit Unit, moved all skilled contractor resources onto this system.

Other Accenture staff also work on specific projects and associated contracts awarded to Accenture which are based on fixed deliverables where payments are linked to deliverable milestones rather than time assigned and so these specific project resources are not subject to the Electronic Time Recording System, for example the Schengen Information System and Major Investigations Management System as referred to above.

Yours sincerely,



DERMOT MANN
SUPERINTENDENT
COMMISSIONER'S OFFICE
12th January 2018

Delaney, David J

From: Garda Obs <[REDACTED]>
Sent: 08 January 2018 16:08
To: Commissioner
Cc: Chief_Administration_Office; Culhane, Michael; Leane, Aeneas
Subject: Internal Audit Report - ICT Directorate Payments Process

Categories: Red Category

Dear Commissioner,

In light of the recent reports concerning the GIAS report on IT procurement (e.g.: <https://www.rte.ie/news/2018/0107/931576-garda-procurement-concerns/>) a report is required so that a note can be prepared for the Taoiseach for Leader's Questions.

The report should provide detailed background information in relation to the contract in question, including the initial duration of the contract and any provision to extend it.

The question of adherence to procurement requirements should also be fully addressed. Was sanction sought to extend the contracts? If not, why not?

Finally, a copy of the internal audit report should be provided together with information as to the steps that have been taken to regularise the position.

I understand that a request for background details connected to this matter was sent by Mark Doyle on Thursday, and that request can be combined with this one. I would be grateful if this information could be forwarded by close of business tomorrow.

Many thanks,
Tracey

Tracey Germaine
 Policing Division | Finance and Resources | Department of Justice and Equality | 51 St. Stephen's Green, Dublin 2 -
 Eircode: D02 HK52, Ireland | [REDACTED]

Is le haghaidh an duine nó an eintitis ar a bhfuil sí dírithe, agus le haghaidh an duine nó an eintitis sin amháin, a bheartaítear an fhaisnéis a tarchuireadh agus féadfaidh sé go bhfuil ábhar faoi rún agus/nó faoi phribhléid inti. Toirmiscear aon athbhreithniú, atarchur nó leathadh a dhéanamh ar an bhfaisnéis seo, aon úsáid eile a bhaint nó aon ghníomh a dhéanamh ar a hiontaoibh, ag daoine nó ag eintitis seachas an faighteoir beartaithe. Má fuair tú seo seo trí dhearmad, téigh i dteagmháil leis an seoltóir, le do thoil, agus scríos an t-ábhar as aon ríomhaire. Is é beartas na Roinne Dlí agus Cirt agus Comhionannais, na nOifigí agus na nGníomhaireachtaí a úsáideann seirbhísí TF na Roinne seoladh ábhair cholúil a dhícheadú.

Más rud é go measann tú gur ábhar colúil atá san ábhar atá sa teachtaireacht seo is ceart duit dul i dteagmháil leis an seoltóir láithreach agus le mailminder@justice.ie chomh maith.

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Should you consider that the material contained in this message is offensive you should contact the sender immediately and also mailminder@justice.ie.

Delaney, David J

From: Mark J. Doyle <[REDACTED]>
Sent: 04 January 2018 17:14
To: Commissioner
Cc: gardaobs; George B. Trimble; Nora J. Lalor
Subject: FW: Media Query:

Importance: High

Categories: Red Category

Commissioner

I have been asked to forward the attached query for your attention and to request some background material on the matter at your earliest convenience.

Yours sincerely

Mark Doyle

Mark Doyle
Garda Síochána Section, Policing Division | Department of Justice and Equality | 51 St. Stephen's Green, Dublin - Eircode: D02 HK52, IRELAND, I

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