

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 ND62



Freedom of Information Office,
An Garda Síochána, Athlumney House,
IDA Business Park,
Johnstown, Navan,
Co Meath.
C15 ND62

Teileafón/Tel: (046) 9036350



Láithreán Gréasain/Website:
www.garda.ie

Ríomh-phoist:/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000079-2021 Request Part-Grant

Dear

I refer to your request, dated and received on 25th February, 2021 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:

Under the FOI Act, can I request a digital copy of the following:

- 1. The number of gardaí in Donegal who were required to take sick leave for any reason during 2019 and 2020. Can I have this broken down into each individual year please.*
- 2. The number of gardaí in Donegal who were required to take sick leave as a result of injuries received during the course of their duties during 2019 and 2020. Can I have this broken down into each individual year please.*
- 3. The longest period a Garda officer in Donegal has been on sick leave.*
- 4. And the longest period an officer in Donegal has been unable to fulfill their work duties due to an injury sustained during the course of their duties.*
- 5. The total number of Garda officers in Donegal,*

I wish to inform you that I have decided to **part-grant** your request on the 8th March 2021. I have numbered your request for ease of reference.

The purpose of this letter is to explain that decision.

1. Findings, particulars and reasons for decision

Upon receipt of your request, it was forwarded to the relevant Sections of An Garda Síochána and a search was conducted to establish what records were held in relation to your request. As a result of this search, this Office has been briefed and the tables below were provided as regards to part 1 & 2 of your request.

The number of Gardai in Donegal who were required to take sick leave between January 1st 2019 and December 31st 2019 broken down into ordinary illness and injury on duty.

Division	Ordinary Illness	Injury on Duty
Donegal	296	15

Sick Leave Statistics as recorded on SAMS and reported @ 05.02.2020

The number of Gardai in Donegal who were required to take sick leave between January 1st 2020 and December 31st 2020 broken down into ordinary illness and injury on duty.

Division	Ordinary Illness	Injury on Duty
Donegal	261	19

Sick Leave Statistics as recorded on SAMS and reported @ 05.02.2021

I am refusing to provide a breakdown of the longest period a Garda Officer has been on sick leave for ordinary illness and injury on duty in accordance with Section 37 (1) of the FOI Act. In my opinion, the release of the records requested in part 3 and 4 can reasonably be expected to lead to the identification of the individual members. There is also a reasonable expectation by members that this type of information would remain confidential.

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.

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).*

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,

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,
- 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 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 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 in the manner requested.

As regards part 5 of your request I wish to advise that as of the 31st January, 2021 there is 464 Garda Officers in the Donegal Division.

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-000079-2021**.

Freedom of Information Office, An Garda Síochána, Athlumney House, IDA Business Park, Johnstown, Navan, Co. Meath C15 ND62.

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: An Garda Síochána Imprest Account

Account Number: 30000302

Sort Code: 951599

IBAN: IE28DABA95159930000302

BIC: DABAIE2D

You must ensure that your FOI reference number (FOI-000079-2021) 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,



ASSISTANT PRINCIPAL

PAUL BASSETT

FREEDOM OF INFORMATION OFFICER



MARCH, 2021.