

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

Bí linn/Join us  

Ríomh-phoist:/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000386-2020 Request Refused

Dear

I refer to your request, dated 26th October 2020 and received on 27th October 2020 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:

Using FOI please will you provide answers to the following -

- 1. How many officers have tested positive for Covid?*
- 2. How many officers have isolated after a positive Covid test?*
- 3. How many officers have isolated but didn't test positive for Covid*
- 4. How many officers have self isolated yet didn't get tested for Covid or had not been near anyone who had Covid?*
- 5. How many officers died as a result of Covid? I hope there wasn't any.*
- 6. What communication was sent out to the force about the Covid test and trace app?*
- 7. If officers were advised not too, what were the operational reasons for not downloading?*
- 8. A copy of all correspondence from the Department of Health and HSE relating to Covid?*

I wish to inform you that I have decided to refuse your request on the 17th November 2020.

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 records have been provided for consideration under the FOI Act.

I am refusing the release of records in respect of parts 1 – 5 of your request and am doing so in accordance under Section 15(1)(a) 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

I have been advised that the Sick Absences Management System (SAMS) does not record COVID absences as sick leave. In line with other public sector bodies, COVID related absences are recorded as special leave. However, there are several circumstances under which special leave with pay can be granted and the Garda Employee Management System (GEMS) does not differentiate between those reasons. Therefore it is not possible to provide specific data on COVID related absences for members, as GEMS does not have a specific category for COVID related absences. In order to establish details of COVID related absences a trawl through all special leave absences would have to be conducted.

In accordance with Part 1(n) of Schedule 1, I am refusing parts 6, 7, and 8 of 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.

HR records refer to personal records of staff working within An Garda Síochána. They also relate to statistical information in respect of the organisation, e.g sick leave, discipline, retirements, etc. Financial records relate to the financial expenditure of the organisation and procurement records relate to the contracting of services and the tendering process associated with same.

The records sought in part 6, 7 and 8 of your request do not constitute administrative records relating to human resources, finance or procurement.

As a result of the COVID-19 pandemic, An Garda Síochána has initiated a number of measures to protect Garda Members and Staff. Included in these measures are:

- Changes to the roster for Garda Members,
- Increased signage in stations and the provision of hand sanitizing facilities,
- The use of PPE including face masks in situations where Members are unable to maintain recommended social distancing,
- The use of remote working where this can be facilitated.

As frontline responders, Members of An Garda Síochána are at increased risk of exposure to COVID-19 on a daily basis. However, it should be noted that Garda Members have maintained

significantly high rates of availability during the pandemic and have responded to this emergency in order to continue serving our communities and protect the State by continuing to deliver a functioning police and security.

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-000386-2020**.

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-000386-2020) 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

17th NOVEMBER 2020