

An Garda Síochána



Oifig Saoráil Faisnéise
An Garda Síochána
Teach áth Luinnigh
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-000078-2015 Request Refusal

Dear

I refer to the Freedom of Information Act 2014 and your submission to this body dated and received on 20th October 2015.

Part 1 of Schedule 1 of the Freedom of Information Act 2014 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 is shown below:

- *"Copies of all reports/guidelines issued to staff over the use of social media*
- *Copies of all reports into, and details of all sanctions taken against staff, for the alleged misuse of social media or breach of garda protocol on this matter."*

I, _____ wish to inform you that your request has been refused.

The purpose of this letter is to explain my decision.

1) Findings, particulars and reasons for decision

With regard to your request for *"Copies of all reports/guidelines issued to staff over the use of social media"* I advise as follows:

Section 15:

(1) (f) of the Freedom of Information Act 2014 is as follows:

- (i) *"A head to whom an FOI request is made may refuse to grant the request where-*
- (f) *"the FOI body intends to publish the record and such publication is intended to be effected not later than 6 weeks after the receipt of the request by the head".*

Your request is being refused under section 15(1)(f) of the Freedom of Information Act 2014, as An Garda Síochána intends to publish our Social Media policy in the Publication Scheme Section of our FOI web page on the Garda Síochána web site www.garda.ie.

In relation to your request for *"Copies of all reports into, and details of all sanctions taken against staff, for the alleged misuse of social media or breach of garda protocol on this matter."*

Section 15(1)(c) of the Freedom of Information Act 2014 is as follows:

Section 15:

(1) A head to whom an FOI request is made may refuse to grant the request where-

(c) in the opinion of the head, granting the request would, by reason of the number or nature of the records concerned or the nature of the information concerned, require the retrieval and examination of such number of records or an examination of such kind of the records concerned as to cause a substantial and unreasonable interference with or disruption of work (including disruption of work in a particular functional area) of the FOI body concerned,

With reference to your request I wish to make you aware that disciplinary proceedings initiated internally relating to misuse of social media on Garda equipment is not specifically identifiable under a separate heading within the discipline section in Human Resources and People Development. It would cause a substantial and unreasonable distribution in Human Resources and People Development of An Garda Síochána to inspect all manual records held to identify this particular type of behaviour. However, misusing social media by Gardaí on Garda equipment may lead to a breach of discipline under a more generic section of the Garda Síochána (Discipline) Regulations 2007 as amended. These Regulations are available at www.oireachtas.ie.

As no records exist in the format you have requested you may wish to reconsider your search parameters and provide a more specific search relevant to the information you seek based on the Garda Síochána (Discipline) Regulations 2007 as amended.

In accordance with the requirements of section 15(1)(c) of the Freedom of Information Act 2014 I am refusing your request.

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 **F01-000078-2015**.

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: BOFIE2D

You must ensure that your FOI reference number 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.

Freedom of Information Office
16th November 2015

