

# An Garda Síochána

Oifig Saoráil Faisnéise  
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](http://www.garda.ie)

Ríomh-phoist:/Email: [foi@garda.ie](mailto:foi@garda.ie)

## Re: Freedom of Information Request FOI-000142-2016 Refused

Dear

I refer to the Freedom of Information Act 2014 (FOI Act) and your submission to An Garda Síochána dated and received on the 14<sup>th</sup> April 2016.

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:

- *All records of disciplinary proceedings against members of the Gardai who breached the rules of the social media policy for years dating 2010 – 2015.*

I have now made a final decision to refuse your request.

The purpose of this letter is to explain that decision.

### 1. Findings, particulars and reasons for decisions to deny access

I wish to make you aware that disciplinary proceedings initiated internally relating to the misuse of social media or a breach of the social media policy is not specifically identifiable under a separate heading within the discipline section at Human Resources and People

Development. It would cause a substantial and unreasonable disturbance at Human Resources and People Development to inspect all records held on each individual member who was the subject of a disciplinary investigation to identify if the breach related to social media. The Garda Síochána (Discipline) Regulations 2007 (as amended) lists 30 acts or conducts that constitute breaches of discipline. These acts/conducts are at a generic level and do not specifically identify a particular type of activity, such as misusing social media or breaching a particular policy.

The storage of the discipline records concerned is done on an individual basis and not in a centralised format. Breaches of discipline are recorded within each particular case file in the Human Resources and People Development Section and are specific to each individual person. In addition minor breaches of discipline can be dealt with by local management and recorded locally without Human Resources and People Development being notified.

It is possible for a person to be disciplined for not complying with a social media policy but it will be recorded under one of the 30 acts/conducts contained in the schedule of the Garda Síochána (Discipline) Regulations 2007 (as amended). The regulations are available at [www.oireachtas.ie](http://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).

I am refusing to provide the records you seek for the reasons set out above and in compliance with section 15(1)(c) of the FOI Act as shown below.

**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.*

Specific information on the number of members found in breach of the Garda Síochána (Discipline) Regulations 2007 (as amended) and the monetary sanctions imposed can be found in the publications section of the Annual Report of An Garda Síochána which is available online at [www.garda.ie](http://www.garda.ie).

## **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 **F01-000142-2016**.

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](http://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.**

<sup>th</sup>  
29 April 2016