

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



Láithreán Gréasain/Website:

www.garda.ie

Ríomh-phoist:/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000122-2018 Part-Grant

Dear

I refer to your request, dated and received on 22nd 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:

1) The number of complaints of bullying, harassment and sexual assault in each of the years below and the status of these complaints, as per the table format below.

| <i>Year</i> | <i>COMPLAINTS RECEIVED</i> | <i>UPHELD</i> | <i>NOT UPHELD</i> | <i>RESOLVED</i> | <i>WITHDRAWN</i> | <i>ONGOING</i> |
|-------------|----------------------------|---------------|-------------------|-----------------|------------------|----------------|
| <i>2014</i> | | | | | | |
| <i>2015</i> | | | | | | |
| <i>2016</i> | | | | | | |
| <i>2017</i> | | | | | | |

2) The number (if any) of Gardai either suspended or expelled from the force after being found guilty of bullying, harassing or sexually assaulting a colleague, for the calendar year 2017.

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 my decision.

1. Findings, particulars and reasons for decision to deny access

Details of your FOI request were provided to the Human Resource Management (HRM) section of An Garda Síochána and a number of records have been identified in this regard. I understand a member of staff from my office spoke with you today and clarified your request wherein you were originally seeking information in relation to sexual assault. I now understand that this has been clarified and you are seeking information in relation to sexual harassment.

Upon review of the records, I have decided to part-grant part 1 of your request and a copy is outlined in the table below. The figures provided refer to complaints made by Garda members against Garda colleagues as requested on 22nd March 2018. It should be noted that the information outlined below refers to complaints of bullying, harassment and sexual harassment.

| <i>Year</i> | <i>COMPLAINTS RECEIVED</i> | <i>UPHELD</i> | <i>NOT UPHELD</i> | <i>RESOLVED</i> | <i>WITHDRAWN</i> | <i>ONGOING</i> |
|-------------|----------------------------|---------------|-------------------|-----------------|------------------|---------------------------|
| 2014 | 10 | *1 | 3 | 1 | N/A | 4+1 (No case to answer) |
| 2015 | 5 | 1 | 4 | Nil | N/A | 1 (Appeal) |
| 2016 | 3 | | 1 | | | 2 |
| 2017 | 9 | 1 | 3 | 1 | N/A | 4 (1 ongoing + 3 appeals) |

**2014 - on appeal new investigation to be carried out so only 1 complaint upheld to-date*

Part 2 of your request is seeking *The number (if any) of Gardai either suspended or expelled from the force after being found guilty of bullying, harassing or sexual harassment a colleague, for the calendar year 2017.*

I am to advise you that no members of An Garda Síochána have been suspended or expelled from force after being found guilty of bullying, harassing or sexual harassment a colleague, for the calendar year 2017.

There are two policies in place to deal with allegations of bullying, harassment and sexual harassment in the workplace within An Garda Síochána.

With regard to Garda members I can advise that the policy — *'Working Together to Create A Positive Working Environment'* applies. This booklet outlines the Policy and Procedures of the Garda Síochána for dealing with bullying, harassment and sexual harassment in the workplace.

In relation to Civilian members *The Dignity at Work — and anti-bullying, harassment and sexual harassment policy for the Irish Civil Service*, issued by the Department Public Expenditure and Reform, is a Civil Service wide policy which is applied to civilian staff working within An Garda Síochána.

Both policies are available on the Garda website 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 **FOI-000122-2018**.

Freedom of Information Office, An Garda Síochána, Athlumney House, IDA Business Park, 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: IE86BOFI90001710026896

BIC: BOFIIIE2D

You must ensure that your FOI reference number FOI-000122-2018 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**