

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

Bí linn/Join us  

Láithreán Gréasain/Website:
www.garda.ie

Ríomh-phoist:/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000311-2018 Request Part Granted

Dear

I refer to your request, dated and received on the 26th July, 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:

Materials providing details on how much was spent on garda overtime in Cork city, Cork west and Cork north in 2015, 2016 and 2017; the amount paid to the highest overtime earner in each of the three divisions for those three years, and the circumstances in which overtime payments are made (eg for working on a major crime, a major event etc).

I wish to inform you that I have decided to part grant your request on the 16th March, 2018.

The purpose of this letter is to explain that decision.

1. Findings, particulars and reasons for decision

Details of your request were provided to the Finance Directorate within An Garda Síochána who have identified the records outlined below.

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The part of your request seeking the ‘*Materials providing details on how much was spent on garda overtime in Cork city, Cork west and Cork north in 2015, 2016 and 2017*’. In this regard, I am refusing this part of the request in accordance with section 15(1)(d) of the FOI Act as the information is already in the public domain.

Section 15(1)(d) of the Freedom of Information Act 2014 states:

15(1) A head to whom an FOI request is made may refuse to grant the request where (d) the information is already in the public domain.

The overtime spends for An Garda Síochána is provided by the Finance Directorate and is published on an annual basis, broken down by Quarter and Division and is available by following the link below;

<https://www.garda.ie/en/Information-Centre/Freedom-of-Information/Publication-Scheme/Budgets-and-spending/Overtime-Reports.html>

Please see table below which outlines the ‘*the amount paid to the highest overtime earner in each of the three divisions for those three years*’.

Division	2015	2016	2017
Cork City	€ 13,856	€ 17,145	€ 32,550
Cork North	€ 20,723	€ 18,215	€ 24,925
Cork West	€ 17,792	€ 18,208	€ 27,627

The last part of your request seeks the ‘*the circumstances in which overtime payments are made (eg for working on a major crime, a major event etc)*’ the Finance Directorate have advised that as there is no unique project code in place in respect of the circumstances in which overtime is incurred. In the absence of specific project codes, it is not possible to provide the circumstances of overtime therefore, I am refusing the final part of your request under Section 15 (1)(a) of the FOI Act.

Section 15 – Refusal on administrative grounds to grant FOI requests

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

(a) the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken,

The nature of Garda work and the requirement that the Garda authorities respond, in some cases at short notice, to immediate policing demands means that there is a necessity to incur overtime expenses to ensure effective policing. Accordingly, there will always be a need for a certain level of overtime to allow An Garda Síochána flexibility when responding to circumstances that require additional resources for specific operations. These additional resources will have to be over and above those available from Gardaí on rostered duty thus ensuring the continuation of normal policing duties unabated.

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-000311-2018**.

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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: IE86BOFI90001710026896

BIC: BOFIIIE2D

You must ensure that your FOI reference number (FOI-000311-2018) 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**
SHARON KENNEDY
FREEDOM OF INFORMATION OFFICER

16 **AUGUST, 2018**