

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-000035-2019 Request Refused

Dear

I refer to your request, dated and received on 17th January 2019 which you have made under the Freedom of Information Act 2014 (FOI Act) for records held by An Garda Síochána. I understand a member of staff from my office clarified your request with you on 24th January, 2019.

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 original request sought:

I wish to request, under the Freedom of Information Act, access to details of the pass / fail levels of probationer Gardaí in the "fitness bleep test" in 2016, 2017 and 2018. Please provide a breakdown by gender.

I also wish to request, under FoI, access to details of the pass / fail levels of other muscular endurance tests taken by probationer Gardaí during the same years. Please also provide a gender breakdown.

Your clarified request of the 24th January, 2019:

I would like to get figures on all Gardaí who took the 'fitness bleep test' in those years, including student Gardaí and probationers

I wish to inform you that I have decided to refuse your request on the 11th February 2019.

The purpose of this letter is to explain that decision.

1. Findings, particulars and reasons for decision

Upon receipt of your request, a search was conducted in the Garda College in respect of the records sought by you. I can now advise you that I am refusing your request in accordance with Section 15(1)(a) of the FOI Act which states:

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.*

Following a search of records in the Garda College, it has been established that there is no electronic records at present that can identify:

1. Between gender who fail their fitness
2. Which aspects of the fitness test is failed – i.e. Bleep test or Strength test
3. The number of times an individual trainee/probationer has failed their fitness test throughout their training.

I can advise you however that during the course of training the fitness test is required to be completed by trainee/probationer Gardaí at every phase. During phase 1, there is a requirement to complete the fitness test twice and in the event of any fail, the trainees are afforded an opportunity to complete it again, a further fail will result in the trainee being reverted to the next group.

During phase 2, the probationers are required to pass their fitness test and like before if they fail, they are afforded a further opportunity to pass and in failing this, they will be reverted to the next group.

During the course of phase 3, the same rules apply as before. Any failure, the probationer is afforded the opportunity to repeat the test and in failing this repeat then the probationer is reverted back to the next group where they will get two further opportunities to complete the test.

Further details in relation to the fitness assessment and the requirements is available on the Garda website and may be accessed by following the link below:

<https://www.garda.ie/en/FAQs/?id=4851>

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-000035-2019**.

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: BOFIE2D

You must ensure that your FOI reference number (FOI-000035-2019) is included in the payment details.

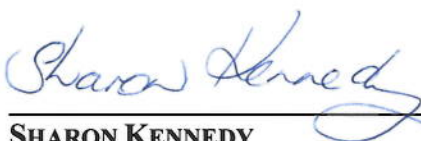
You should submit your request for an Internal Review within 4 weeks from the date of this notification. The review will involve a complete reconsideration of the matter by a more senior member of An Garda Síochána and the decision will be communicated to you within 3 weeks. The making of a late appeal 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 the FOI Office by telephone at (046) 9036350.

Yours sincerely,


SUPERINTENDENT
SHARON KENNEDY
FREEDOM OF INFORMATION OFFICER

11 **FEBRUARY 2019**