

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 ND62



Freedom of Information Office,
An Garda Síochána, Athlumney House,
IDA Business Park,
Johnstown, Navan,
Co Meath.
C15 ND62

Teileafón/Tel: (046) 9036350



Láithreán Gréasain/Website:
www.garda.ie

Ríomh-phoist:/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000087-2023 Request Part Granted

Dear

I refer to your request, dated and received on 27th February, 2023 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:

Under the FOI Act 2014, I am seeking the following:

- *a list of all allowances payable to members of An Garda Síochána.*
- *the amount paid under each allowance heading for 2022, to include the total amount and the number of officers that were paid the allowance, either in full or partially.*

I would prefer to receive this information electronically, ideally in its original electronic format.

I wish to inform you that I have decided to part granted your request on 28th March, 2023.

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision

Details of your request were provided to the relevant sections within An Garda Síochána who have briefed this Office in respect of same. The tables below details the records sought in your request with a breakdown of allowance type, total amount and number of recipients paid.

1

Allowances 2022	No of Recipients	€
Sunday Allowance	13,514	71,507,608
Retro Sunday Allowance	13,118	1,742,017
Night Duty Rostered	13,269	43,116,947
Night Duty Non-Rostered	12,834	3,967,415
Night Duty 6-8 Rostered	13,200	7,602,591
Night Duty 6-8 Non-Rost.	12,657	1,101,196
Retro Night Duty Rostered	12,855	1,050,855
Retro Night Duty Non-Rostered	12,324	97,163
Public Holiday Allowance	13,362	18,533,260
Retro Public Holiday Allowance	12,755	363,214
Annual Premium Payment	13,804	12,466,811
Non-Public Duty X 1.5	4,207	4,913,218
Non-Public Duty X 2	3,370	2,361,539
Non-Public Duty X 3	7	5,370
Non-Public Duty 6-8	4,130	98,476
Non Public Duty Night Duty 8-8	4,320	431,460
Non Public Duty Saturday All	1,964	49,926
Retro Non Public Duty X 1.5	4,032	139,168
Retro Non Public Duty X 2	3,120	63,336
Retro Non Public Duty X 3	6	147
Retro Non Pub Duty 6 -8	3,972	2,838
Retro Non Public N/Duty 8-8	4,082	11,568
Retro Non Public Sat All.	1	30
Boot Allowance (N/T)	14,356	1,265,575
Boot Allowance (T)	14,357	841,861
Saturday Rostered	1,606	337,499
Saturday Non-Rostered	725	34,711
Saturday Rostered	11,346	2,525,483
Saturday Non-Rostered	4,998	187,133
Uniform Allowance G/S (N/T)	11,500	1,451,836
Uniform Officers (N/T)	524	208,963
Uniform Initial Grant(N/T)	106	62,571
Uniform Varied Allowance (N/T)	24	10,148
Uniform Allowance G/S (T)	11,500	971,764
Uniform Officers (T)	524	139,518
Uniform Initial Grant(T)	106	41,708
Uniform Varied Allowance (T)	23	6,469
Retro Night Duty 6-8 Rostered	12,782	184,161
Retro Night Duty 6-8 N/R	12,065	26,542
J.L.O.(T)	134	84,580
JLO Allowance N/T	134	119,285

Allowances 2022	No of Recipients	€
Collator Allowance	57	73,718
Community Rel/Crime Prev Allowance	99	56,678
DSP Secondment Allowance	36	23,497
Annual Leave Premium Payment	14,500	7,185,059
Other Premium Payment Allowance	5,506	4,558,600
Detective Allowance	4,879	3,571,719
Availability Allowance	318	2,182,962
Instructor Allowance	408	2,165,549
Plain Clothes Allowance	3,440	1,875,956
Ministers Pool Allowance	82	960,137
Gaeltacht Allowance	194	789,859
Transport Allowance	1,459	712,661
Overseas Allowance	42	615,119
Clerical Allowance	75	503,393
Scenes Of Crime Allowance	67	487,821
Court Presenter	101	400,379
Dog Handler Allowance	21	67,118
Expert Allowance	62	286,391
Air Support Unit Allowance	26	125,209
PSV Allowance	25	121,386
Radio Allowance	43	203,061
Immigration Allowance	156	170,555
Inspector Acting Allowance	79	241,912

Pursuant to Section 37 of the FOI Act I am refusing to release the number of receipts in receipt of the allowances in the table below as I believe that due to the small number of individuals involved, releasing this information could lead to the Garda members involved being easily identifiable beyond their family and friends and it would be considered a breach of the confidentiality upon which the information is being held by the Garda Organisation.

Allowances 2022	€
Safety Advisor Allowance	33,093
Change Management	20,636
Private Secretary	11,382
Analyst Allowance	8,096
Aran Island	3,209
Substitution Allowance	15,051
Welfare Officer Allowance	105,185
FSI Temporary Allowance	142,914
Water Unit Allowance	86,351

Section 2 – Interpretation of the Act

Under the FOI Act, records are released without any restriction as to how they may be used and thus release under the FOI Act, is in effect regarded as being released to the world at large. As a result, I am conscious of my obligations to retain personal information in a confidential and

secure manner and prevent personal information from being released into the public domain unnecessarily. Section 2 of the FOI Act defines personal information as follows:

2.(1) *In this Act—*

"personal information" means information about an identifiable individual that, either—

- (a) would, in the ordinary course of events, be known only to the individual or members of the family, or friends, of the individual, or*
- (b) is held by an FOI body on the understanding that it would be treated by that body as confidential,*

and, without prejudice to the generality of the foregoing, includes –

- (ii) information relating to the financial affairs of the individual,*
- (iii) information relating to the employment or employment history of the individual*

Section 37 – Personal Information

Section 37(1) provides that a public body shall refuse to grant a request if access to the record concerned would involve the disclosure of personal information. The release of the member's ranks could allow for a person(s) to become more identifiable and possibly named in the public domain and is personal information. I am therefore applying section 37(1) Personal Information which states:

37(1) Subject to this section, a head shall refuse to grant an FOI request if, in the opinion of the head, access to the record concerned would involve the disclosure of personal information (including personal information relating to a deceased individual)

As per Section 37 of the FOI Act, I have considered the public interest issues which arise in this case and have taken account of the following factors in favour of release:

Public Interest Test

As per section 37 of the FOI Act, I have considered the public interest issues which arise in this case and have taken account of the following factors in favour of release:

- Ensuring openness and transparency of Organisational functions to the greatest possible extent,
- The public interest in members of the public exercising their rights under the FOI Act,
- That there is more than just a transitory interest by the public in this information,
- The right to privacy is outweighed by the needs of the public.

In considering the public interest factors which favour withholding the records I have taken account of the following:

- Allowing a public body to hold personal information without undue access by members of the public,
- The public interest is not best served by releasing these records,
- That the Organisation can conduct its business in a confidential manner,

- That there is a reasonable and implied expectation by employees that sensitive personal information will remain confidential,
- That there is no overriding public interest that outweighs the individual's right to privacy.

A public interest was carried out when considering the release of the personal information. Having balanced the factors both for and against the release, I decided that the public interest in preserving the personal information and the reasonable expectation that information can be maintained in a confidential manner by An Garda Síochána in the context of its disciplinary proceedings outweighs the public interest which would be served were the records released to you.

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-000087-2023**.

Freedom of Information Office, An Garda Síochána, Athlumney House, IDA Business Park, Navan, Co. Meath, C15 ND62.

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: An Garda Síochána Imprest Account

Account Number: 30000302

Sort Code: 951599

IBAN: IE28DABA95159930000302

BIC: DABAIE2D

You must ensure that your FOI reference number FOI-000087-2023 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,



ASSISTANT PRINCIPAL

PAUL BASSETT

FREEDOM OF INFORMATION OFFICER

28 MARCH, 2023.