

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

Bí linn/Join us  

Ríomh-phoist/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000537-2017 Request Part Granted

Dear

I refer to your request, dated and received on the 7th December, 2017 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:

The amount spent by the Gardai in overtime in 2017 to the end of the 2017 overtime roster on December 3rd.

The five top operations in terms of overtime payments by Gardai in 2017.

A breakdown of the Garda overtime bill for 2017 by Garda division and various units.

The top 20 overtime payments to Gardai in 2017 and their rank.

Correspondence between the Commissioner and Asst Commissioners on the level of overtime expenditure in 2017 from August 1st to the present

Correspondence between the Commissioner/Asst Commissioners/Garda HR chief and senior officials and Minister for Justice concerning level of overtime expenditure in 2017/18 from Sept 1st to the present.

I wish to inform you that I have decided to part grant your request on the 5th January 2018.

The purpose of this letter is to explain that decision.

1

1. Findings, particulars and reasons for decision

Details of your request were provided to the Finance Directorate within An Garda Síochána and also to the Commissioner's Office and a comprehensive search was conducted in both offices in this regard.

Parts 1 and 3 of your request are seeking 'the amount spent by the Gardai in overtime in 2017 to the end of the 2017 overtime roster on December 3rd' and 'a breakdown of the Garda overtime bill for 2017 by Garda division and various units.

Please see table A below which, from available records, shows the amounts spent on overtime up to and including 30th November 2017 broken down by Division.

An Garda Síochána	
Garda Overtime January - November 2017	
Division	Grand Total
Cavan / Monaghan	€1,409,951
Clare	€1,437,395
Cork City	€3,247,050
Cork North	€991,991
Cork West	€832,555
DMR East	€2,850,343
DMR North	€9,621,640
DMR North Central	€12,883,481
DMR South	€5,927,641
DMR South Central	€11,096,594
DMR Traffic Corps	€707,028
DMR West	€9,435,550
Donegal	€1,969,389
Galway	€2,210,232
Kerry	€1,093,437
Kildare	€1,863,800
Kilkenny/Carlow	€2,464,919
Laois / Offaly	€2,807,105
Limerick	€2,251,152
Louth	€2,594,780
Mayo	€1,926,597
Meath Division	€2,323,224
Roscommon /Longford	€1,275,115
Sligo / Leitrim	€1,459,392
Tipperary	€1,955,894
Waterford	€1,557,205

Westmeath	€1,015,377
Wexford	€2,395,183
Wicklow Division	€1,560,011
National Units and Garda HQ	€26,590,399
Grand Total	€119,754,430

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.

In addition, a number of police led operations, in various years, required the deployment of extra resources on overtime. This includes the implementation of anti-crime and anti-burglary initiatives. Similarly, non-crime related events and events organized by interest groups within the general public can require overtime to police effectively as additional Gardaí may need to be deployed to ensure public safety.

Part 2 of your request is seeking ‘*the five top operations in terms of overtime payments by Gardaí in 2017*’. The Financial Management System (FMS) within An Garda Síochána is not designed to itemise the cost of individual investigations and therefore the records you are seeking do not exist.

Members of An Garda Síochána are typically rostered for multiple duties including criminal investigations and the cost of manpower associated with these duties are not analysed nor captured separately on the Financial Management System.

A unique FMS project code does not exist in respect of operational duties referred to in your request. In the absence of such a project code it is not possible to identify the costs.

In this regard, part 2 of your request is refused 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.*

Part 4 of your request is seeking ‘*the top 20 overtime payments to Gardaí in 2017 and their rank*’. The Finance Directorate ran a report on 19th December 2017 and have identified the records below in this regard. It should be noted that overtime is only payable to members at Garda, Sergeant and Inspector rank.

Table A: List of members receiving highest overtime payments*

	Rank	Amount		Rank	Amount
1	SERGEANT	€77,727	11	GARDA	€64,776
2	SERGEANT	€77,387	12	GARDA	€64,741
3	SERGEANT	€76,412	13	GARDA	€63,110
4	GARDA	€72,589	14	SERGEANT	€62,793
5	GARDA	€71,659	15	GARDA	€62,659
6	INSPECTOR	€70,592	16	GARDA	€61,521
7	GARDA	€69,640	17	GARDA	€61,484
8	GARDA	€65,538	18	GARDA	€61,432
9	SERGEANT	€65,163	19	SERGEANT	€61,425
10	SERGEANT	€64,944	20	SERGEANT	€61,242

* The figures shown refer to the amount of overtime paid out and not necessarily the period within which the costs were incurred. This is due to a number of factors such as the fact that the roster system worked by An Garda Síochána does not align with the calendar months and payment of overtime is generally issued within two weeks after the end of each roster.

Therefore, overtime can be incurred in two different months and paid out in a different third month. For example, overtime incurred on 5th November 2017 is included in the roster ending 3rd December 2017 and this will not be paid until January 2018. It is also possible, whilst not a widespread common occurrence, for overtime to be retrospectively claimed for previous months and recorded in the months the claim is paid and not the month the overtime was incurred.

Parts 5 & 6 of your request is seeking ‘*Correspondence between the Commissioner and Asst Commissioners on the level of overtime expenditure in 2017 from August 1st to the present*’ and ‘*Correspondence between the Commissioner/Asst Commissioners/Garda HR chief and senior officials and Minister for Justice concerning level of overtime expenditure in 2017/18 from Sept 1st to the present.*’

Please find herewith attached records identified in the Commissioner’s Office as sought by you. A number of the records enclosed have been redacted in accordance with Part 1(n) of Schedule 1 of the FOI Act and these redactions are outlined in the Schedule of Records which is also attached.

Part 1(n) of Schedule 1

Section 6(2)(a) of the FOI Act provides that an entity specified in Schedule 1, Part 1 of the Act shall, subject to the provisions of that Part, be a public body for the purposes of the FOI Act. Schedule 1, Part 1 contains details of bodies that are partially included for the purposes of the FOI Act and also details of the certain specified records that are excluded. If the records sought come within the description of the exclusions of Part 1, then the FOI Act does not apply and no right of access exists.

Part 1(n) of Schedule 1 of the FOI Act provides that An Garda Síochána is not a public body for the purposes of the FOI Act other than in relation to administrative records relating to human resources, or finance or procurement matters.

The term “administrative records” is understood to mean records relating to the processes of running and managing a business or organisation. As a result, the FOI Act excludes operational policing business as opposed to the defined administrative processes of An Garda Síochána.

As previously advised, a number of the records identified in the Commissioner’s Office in respect of Parts 5 & 6 of your request have been redacted. The redacted information relates to operational policing matters carried out by An Garda Síochána, as opposed to administrative matters relating to human resources, or finance or procurement.

I am therefore refusing access to this information as it falls outside the scope of the FOI Act insofar as the records do not meet the criteria of administrative records as defined in the Act.

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-000537-2017**.

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-000537-2017) 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

08 January 2018

Page No	Description of document	Deletions	Relevant Section of FOI Acts	Reason for decision	Person(s) Consulted	Objections Yes/No	Decision Maker's decision
1-2	Correspondence to Secretary General - 21st November 2017	5	Part 1 (n) of Schedule 1	Out of Scope			Part-Grant
3	Correspondence to Assistant Secretary General - 2nd November 2017	0					Grant
4-5	Correspondence to Garda Commissioner - 11th October 2017	2	Part 1 (n) of Schedule 1	Out of Scope			Part-Grant
6	Email to Inspector O'Reardon	0					Grant
7	Email from Commissioner to Secretary General - 15th September 2017	0					Grant
8-14	Correspondence to Secretary General from Acting Commissioner - 15th September 2017	6	Part 1 (n) of Schedule 1	Out of Scope			Part-Grant
		Total number of pages					
					14		
		Total number of pages for full release			5		
		Total number of pages for partial release			5		
		Total number of pages being withheld			4		

Oifig an Choimisinéara
Gnóthaí Corparáideacha
An Garda Síochána
Páirc an Fhionnuisce
Baile Átha Cliath
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Office of the Commissioner
Corporate Affairs
Garda Headquarters
Phoenix Park
Dublin
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Tel/Teléfono: (01) 66 62053/20/16/22

Fax/Fax: (01) 66 62013

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Please quote the following ref. number:

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www.garda.ie

Ríomhpost / E-mail:
commissioner@garda.ie

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CMR_40-403213/17

Confidential

Secretary General
Department of Justice and Equality
51 St. Stephen's Green
Dublin 2
D02 HK52

F.A.O. Mr. John O'Callaghan

RE: Expected Overtime Expenditure in the Garda Vote for 2018

Dear Assistant Secretary General

I am directed by the Acting Commissioner to refer to your correspondence of the 19 October 2017.

The projected 2017 outturn for Overtime expenditure is €131 million which is €42.5 million in excess of the annual budget of €88.5 million. A Supplementary Estimate is required to secure the additional funds.

The 2018 overtime budget is €98.5 million which while €10 million greater than the 2017 budget is €32.5 million less than the projected 2017 outturn.

As the 15 minute Parading Time is automatically payable to members of Garda, Sergeant and Inspector rank, it is effectively a fixed cost and has a first call on the overtime budget. The annual cost of parading time based upon the current relevant rank profile is approximately €22 million. In addition, provision must be made for Civilian overtime and based upon the projected outturn a provision of €1.5 million is required for this expenditure.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] For
2018, the front line operational overtime budget is set out as follows:

2018 Budget	
Budget Rev	€98,511,000
Civilian Overtime	€1,511,000
[REDACTED]	€5,000,000-
Parading Time	€21,722,344
Total Budget to Allocate	€70,277,656

[REDACTED]
[REDACTED]

The annual budget gives An Garda Síochána an estimated 2.5 million overtime hours (including parading time) and an estimated 1.95m hours excluding parading time to allocate to front line policing activity. It is intended that such activities will be now managed by Regions/Branches which gives greater flexibility for Regions/Branches make operational decisions with respect to how overtime is allocated and resources.

Yours sincerely,


DERMOT MANN
SUPERINTENDENT
COMMISSIONER'S OFFICE

21st November 2017

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Gnóthaí Corparáideacha
An Garda Síochána
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commissioner@garda.ie

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CMR_40-403213/17

Mr. John O'Callaghan
Assistant Secretary General
Department of Justice and Equality
St. Stephens Green
Dublin 2

Dear Assistant Secretary General,

I am directed by the Acting Commissioner to acknowledge receipt of your correspondence dated 19th instant in relation to the overtime expenditure in the Garda Vote.

The matter is receiving attention and you will be communicated with further in early course.

Yours sincerely,


DERMOT MANN
SUPERINTENDENT
COMMISSIONER'S OFFICE

2nd November 2017

AN ROINN DE JAGU CIRT
 AGIS CUIDHIONANNAS
 17 Palace Street
 Baile Átha Cliath 2
 Tel: 01-454 7000
 Fax: 01-454 7001
 E-mail: info@icj.gov.ie



DEPARTMENT OF JUSTICE
 and EQUALITY
 17 St. Stephen's Green
 Dublin 2
 Facsimile: 01-454 7001

Mr. Dónall Ó Cualáin
 Garda Commissioner
 Garda Headquarters
 Phoenix Park
 Dublin 8
 D08 HN3X

17 October 2017

Dear Commissioner


Thank you for your letter of 15 September 2017 setting out the position in relation to the expected overtime expenditure in the Garda Vote for 2017. It is clear from the information provided that a significant overrun is now unavoidable. The Department will be engaging with the Department of Expenditure and Reform as the overall Vote position becomes clearer, including the impact of measures taken by An Garda Síochána to minimise the extent of the overrun, with a view to providing the resources necessary to cover the shortfall.

It is with particular reference to 2018 (and beyond) that I am now writing. You will be aware that €98.5 million has been provided to cover Garda overtime expenditure in 2018. This is the absolute limit of the resources that will be made available for overtime in 2018 and, as we have discussed, immediate steps must be taken to ensure that overtime in 2018 is incurred in a planned and sustainable manner.

To that end, detailed proposals must be submitted to this Department no later than 31 October, setting out how the overtime budget is to be allocated in 2018. As part of this, a detailed monthly profile of expenditure is required that reflects seasonal factors and known one-off demands.


It is also important that internal governance and controls in relation to the sanctioning and monitoring of overtime are strengthened to ensure that the overtime budget is utilised efficiently. A key aspect of this is the ability to take immediate corrective action in response to any tendency for the budget to run ahead of profile.

Beyond 2018, the expectation is that overtime expenditure will tend towards a medium term target of 5% of payroll costs. Clearly the increase in Garda numbers to 15,000 by 2021, allied to the release of substantial numbers of Gardaí to the frontline through civilianisation will contribute to achieving this target. A recurring theme of the Estimates negotiations with the Department of Public Expenditure and Reform was the need for tangible evidence that the unprecedented levels of investment being made in An Garda Síochána is yielding tangible results. Substantial progress on the civilianisation programme and bringing overtime in line with the above target would be good indicators in this regard.



It is critical to our continued capacity to secure the level of resources necessary to provide modern effective policing in the State that we can demonstrate the discipline to manage the resources provided. In all the circumstances, it is imperative that the overtime plan for 2018 is drawn up without delay and I look forward to receiving same by the end of the month.

Yours sincerely



John O'Callaghan
Assistant Secretary General
Policing Division

From: [Secretary General](#)
To: [Commissioner](#)
Subject: Re: Budgetary Position of An Garda Síochána
Date: 15 September 2017 16:00:04

Seán O'Reardon
 Inspector
 Garda Commissioner's Office

Dear Inspector

I wish to acknowledge receipt of your e-mail of 15 September 2017, which I have brought to the attention of the Secretary General.

Yours sincerely,

D Griffin
 Private Secretary to the Secretary General
 Department of Justice and Equality

Is le haghaidh an duine nó an eintitis ar a bhfuil sí dírithe, agus le haghaidh an duine nó an eintitis sin amháin, a bheartaítear an fhaisnéis a tarchuireadh agus féadfaidh sé go bhfuil ábhar faoi rún agus/nó faoi phribhléid inti. Toirmiscear aon athbhreithniú, atarchur nó leathadh a dhéanamh ar an bhfaisnéis seo, aon úsáid eile a bhaint aisti nó aon ghníomh a dhéanamh ar a hiontaoibh, ag daoine nó ag eintitis seachas an faighteoir beartaithe. Má fuair tú é seo trí dhearmad, téigh i dteagmháil leis an seoltóir, le do thoil, agus scríos an t-ábhar as aon ríomhaire. Is é beartas na Roinne Dlí agus Cirt agus Comhionannais, na nOifigí agus na nGníomhaireachtaí a úsáideann seirbhísí TF na Roinne seoladh ábhair cholúil a dhícheadú.

Más rud é go measann tú gur ábhar colúil atá san ábhar atá sa teachtaireacht seo is ceart duit dul i dteagmháil leis an seoltóir láithreach agus le mailminder@justice.ie chomh maith.

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From: [Commissioner](#)
To: ["secretarygeneral@justice.ie"](mailto:secretarygeneral@justice.ie)
Subject: Budgetary Position of An Garda Síochána
Date: 15 September 2017 15:40:37
Attachments: [40_403213-17.pdf](#)
Importance: High

FAO Denis Griffin

Please refer to attachment. Original in post.

Seán O'Reardon
Inspector
Commissioner's Office

Your message is ready to be sent with the following file or link attachments:

40_403213-17

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



An Garda Síochána

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CMR_40-403213/17

Mr. N Waters
Secretary General
Department of Justice and Equality
St. Stephens Green
Dublin 2

Dear Secretary General,

I wish to draw your attention to the current budgetary position of An Garda Síochána.

As you are aware the Lansdowne Pay Agreement brought in parading/briefing duty requirements (15mins per member per working day) and also categorised Rent allowance as a salary payment which effectively raised the average overtime rates for each member. With respect to 15 minute briefing /parading duty which is applicable to every member from Garda to Inspector rank, it is estimated that this duty will cost an extra €20m in overtime. As every member of these ranks is eligible to earn the 15 minute briefing time, this is a fixed cost.

With respect to the overtime rates following the incorporation of the Rent Allowance into basic pay, it is estimated for 2017 that this will add €8m to overtime costs. In summary, the annual cost of the Lansdowne Pay Agreement will cost €28m in 2017. While the annual overtime budget for 2017 is €88m, €28 m of this is required to fund the pay agreement leaving a net €60m for front line policing. For 2016 the annual outturn for overtime expenditure was €91m. Excluding non-recurring items amounting to €5.4m meant that the front line policing overtime expenditure was €85.6m. The non-recurring items were the visits of HRH Prince Charles €0.4m, VP Biden €2.7m and the 1916 Centenary events €2.3m.

All things being equal, between 2016 and 2017 there was a very significant reduction in the front line policing budget from €85.6m to €60m when the 2017 budget is discounted for the pay agreement. While the potential outturn for 2017 is approximately in the range of €130 - €135m prior to the range of corrective actions, discounting this figure for the cost of the pay agreement will result in a comparative outturn of €100m compared to 2016.

A range of measures have been implemented to reduce overtime expenditure for the remainder of the year while minimising the impact upon front line policing. Notwithstanding the measures in place to reduce overtime, An Garda Síochána is seeking assistance in the form of supplementary funding to meet the projected overtime overspend which is forecast to be €45.489m. This is based on the projected overtime expenditure for 2017 of €134m less the overtime estimate of €88.511m. This forms part of A1 Salaries, Wages and Allowances estimate.

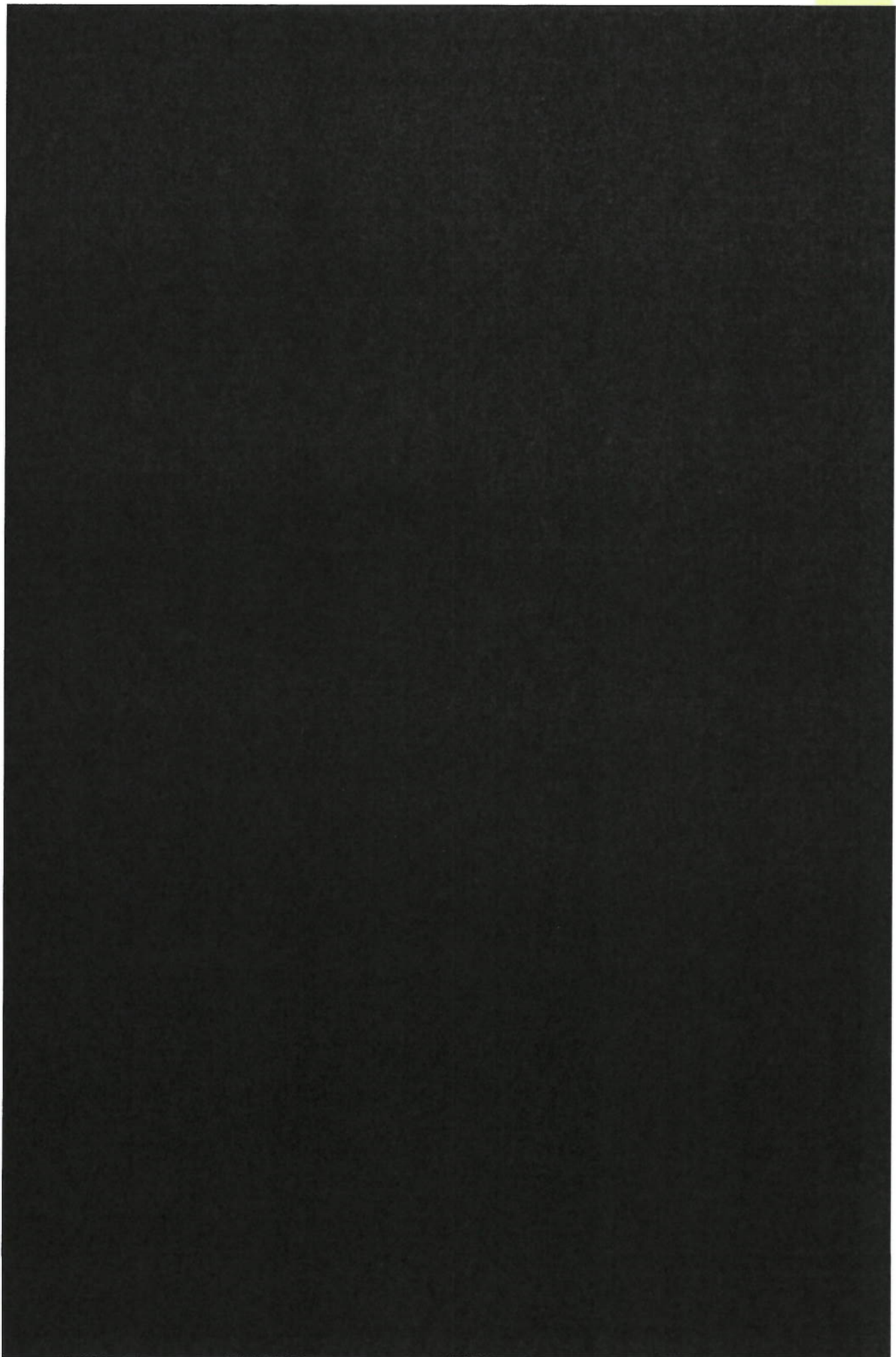
With respect to parading/briefing time, a very broad estimate of the cost of parading/briefing time for the period 2018 – 2021 is presented in the table as below. This gives the concept of the quanta of estimated costs relating to parading/briefing time with respect to the future period. One could regard conceptually as a fixed cost which is proportionate to the number of garda members at garda, sergeant and inspector levels which was brought in as per LRC deal.

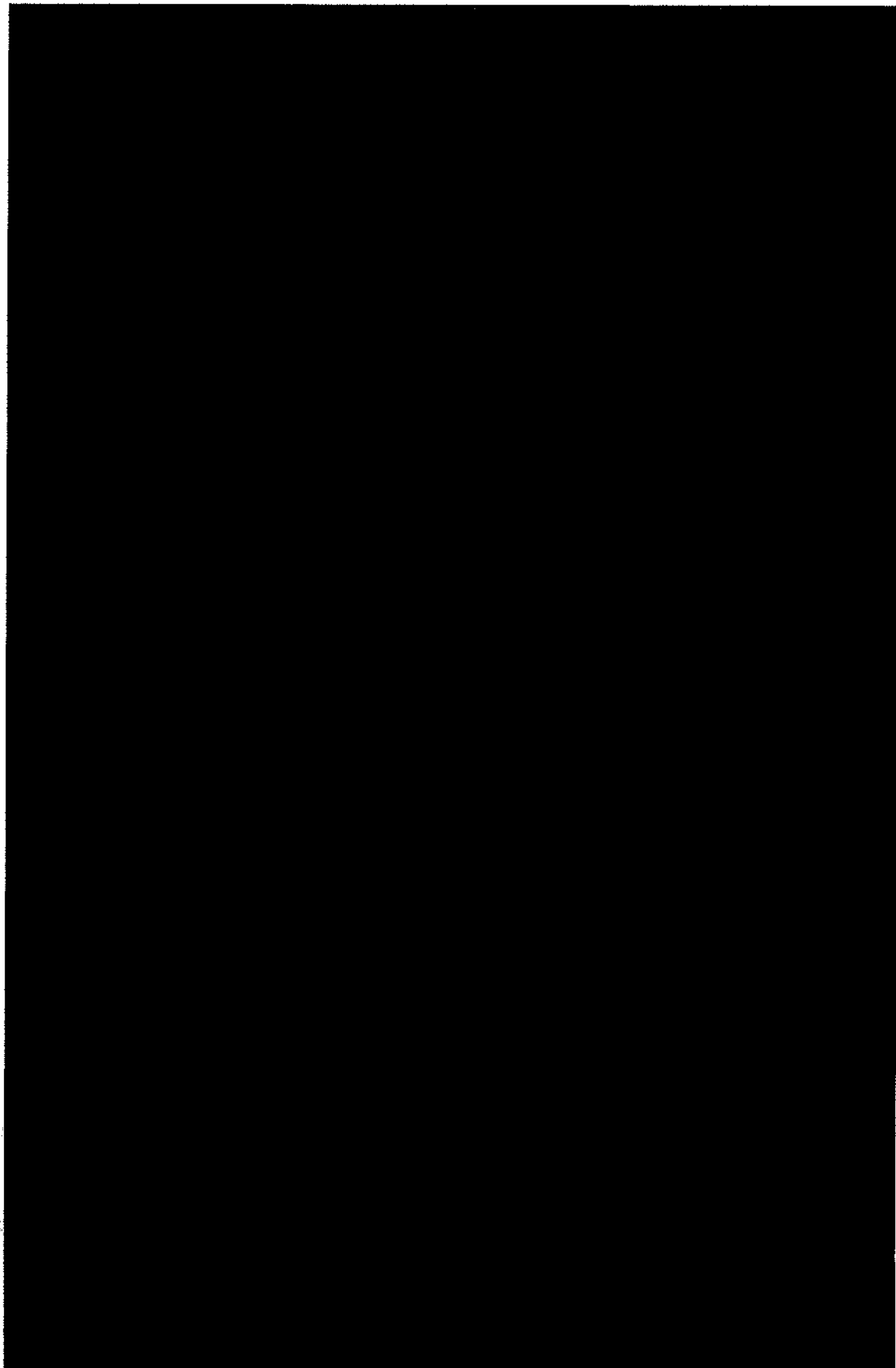
Year	2018	2019	2020	2021
Estimated Annual Cost Parading Time/Briefing Time	€22.4m	€22.9m	€23.4m	€23.9m

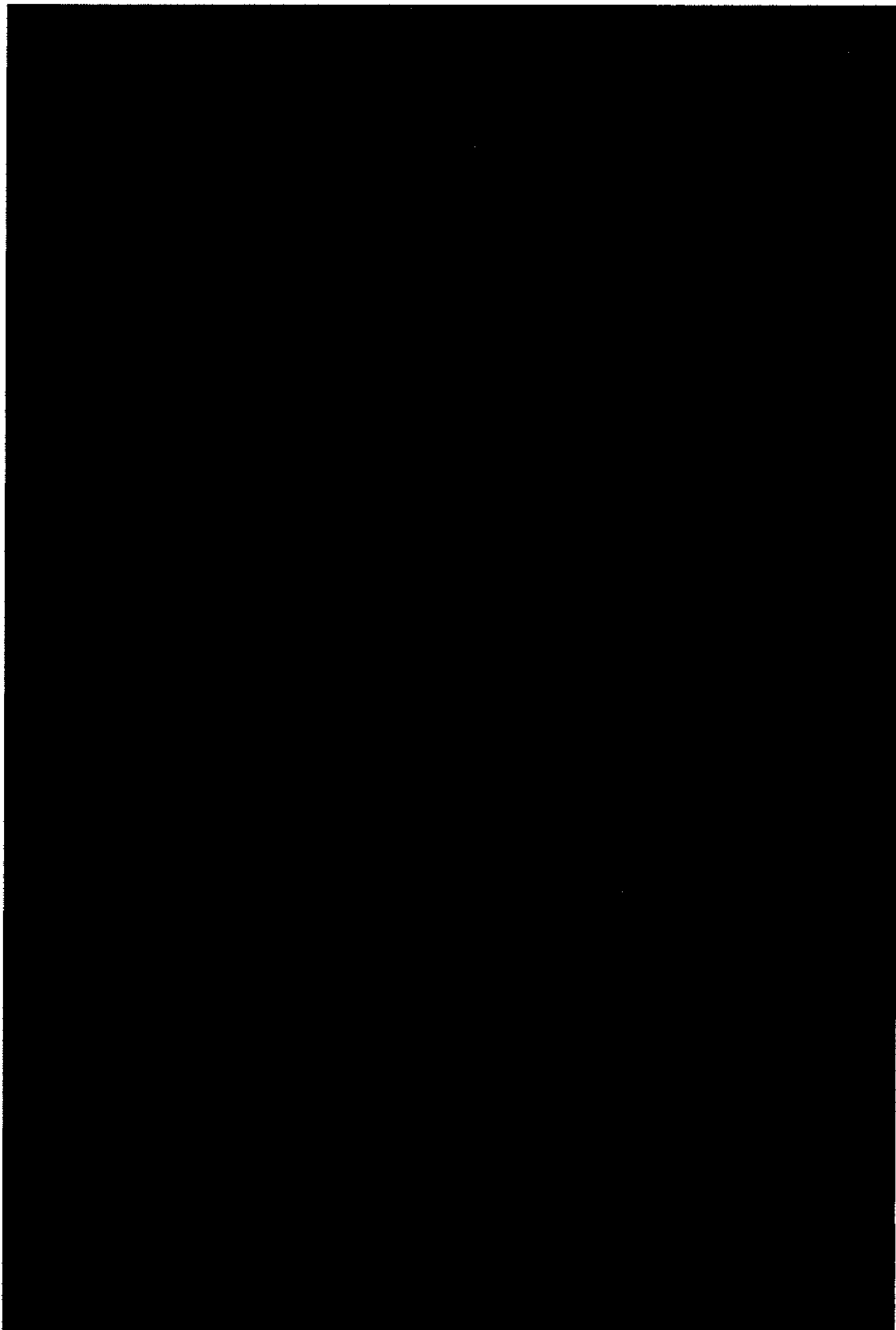
The statutory functions of An Garda Síochána are set out in section 7 (1) of the Garda Síochána Act as follows:

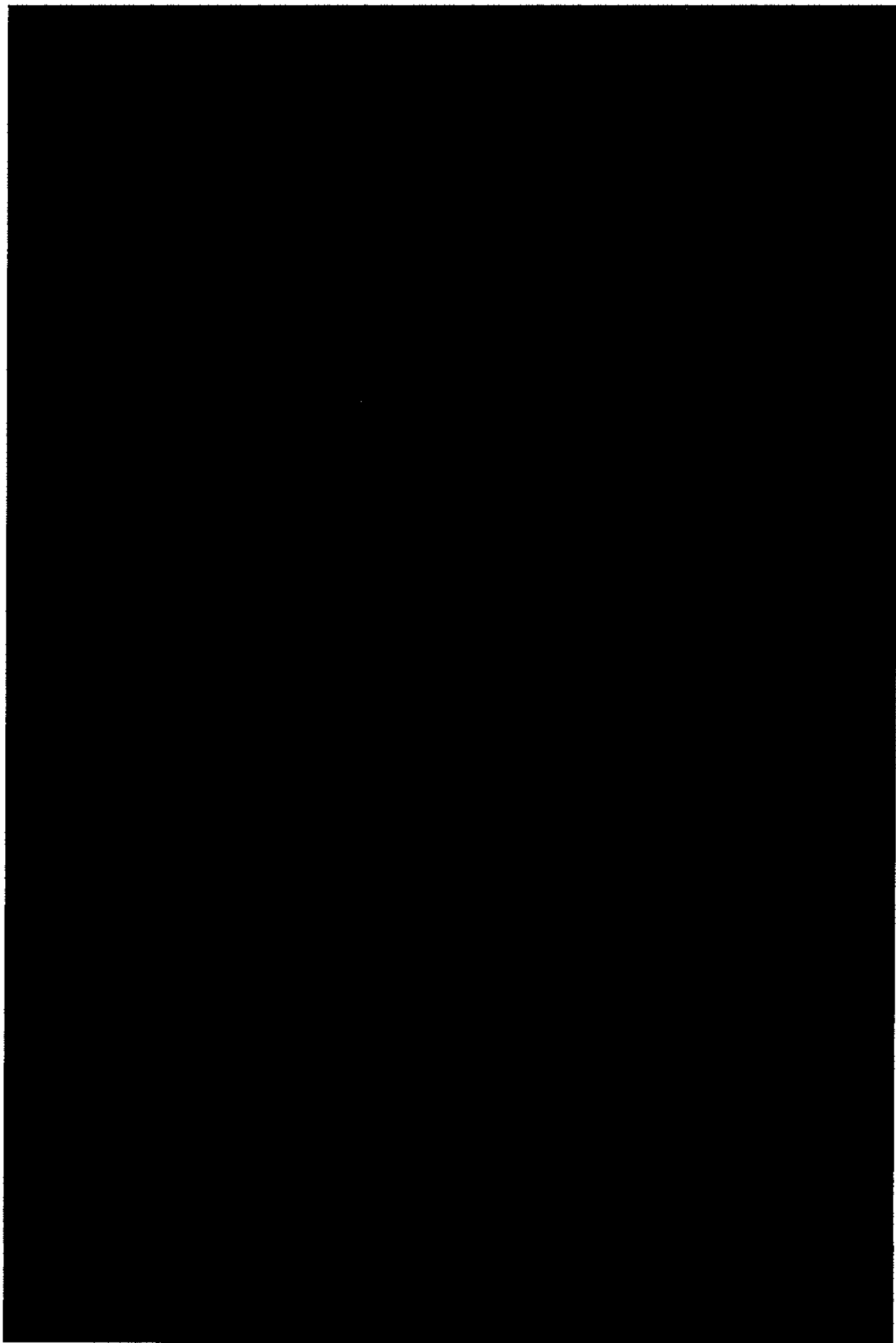
- (a) Preserving peace and public order
- (b) Protecting life and property
- (c) Vindicating the human rights of each individual
- (d) Protecting the security of the State
- (e) Preventing Crime
- (f) Bringing criminals to justice, including by detecting and investigating crime
- (g) Regulating and controlling road traffic and improving road safety

The Garda Force is a highly complex and multidisciplinary organisation with its high level vision and mission statement being "To deliver professional policing and security services with the trust, confidence and support of the people we serve"









Regular Overtime or non Special Project Overtime resources are expended on activities such as Courts, Crime Investigation, Crime Prevention, Escorts, Immigration, Events, Traffic Operations, etc., and this would apply generally to all Regions.

The results detailed above show that with appropriate resources the organisation can and will deliver the policing services demanded by the community at large. Taking account of the measures put in place to deal with overtime, An Garda Síochána is seeking assistance for supplementary funding to help meet our projected overtime expenditure overspend for 2017 which is estimated to be €45.489m based on current spending levels. This is estimated on the projected spend with respect to overtime of €134m less the associated overtime estimate of €88.511m. An Garda Síochána will continue to ensure that the best possible use is made of scarce State resources.

Yours sincerely,


DÓNALL Ó CUALÁIN
ACTING COMMISSIONER
AN GARDA SÍOCHÁNA

15 September 2017