

# An Garda Síochána

Oifig Saoráil Faisnéise  
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 DR 90

Teileafón/Tel: (046) 9036350

Láithreán Gréasain/Website: [www.garda.ie](http://www.garda.ie)

Bí linn/Join us  

Ríomh-phoist:/Email: [foi@garda.ie](mailto:foi@garda.ie)

## Re: Freedom of Information Request FOI-000232-2016 Partially Granted

Dear :

I refer to the Freedom of Information Act 2014 (FOI Act) and your submission to An Garda Síochána dated and received on the 16<sup>th</sup> June 2016.

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 is shown below:

*Since the moratorium on Garda recruitment lifted in 2014, how many of the newly attested gardaí have left the force? \*Specifically new members hired between 2014 and the present day.*

*Where possible, for what reasons did they leave?*

*Where possible, a breakdown of where they were stationed?*

I wish to inform you that I have decided to partially grant your request on today's date.

The purpose of this letter is to explain that decision.

### 1. Findings, particulars and reasons for decisions to deny access

The Human Resources and People Development section were contacted to identify the records relating to your request and have provided the figures included below.

The Garda College resumed training in September 2014 with the first intake of new recruits since 2009. Since then a total of 851 Garda trainees have been recruited with a further 350 planned to be recruited during the remainder of this year. To date there have been eight intakes of Garda Trainees

to the Garda College broken down as follows, 200 in 2014, 350 in 2015 and 301 so far this year. It is expected that there will be a further intake into the Garda College of 150 trainees in September with further intake scheduled for November (200) of this year. This will bring the number of new recruits to 1,201 by the end of 2016.

So far 395 of the new Garda trainees have attested as members of An Garda Síochána and have been assigned to mainstream uniform duties and are on the ground in communities nationwide. It is expected that a further 300 trainees will be attested by the end of this year which, when taking account of projected retirements, will bring Garda numbers to around the 13,000 mark this year

I advise that I am granting the first part of your request. The Human Resources and People Development section report that 6 members have resigned from the Service since attestation in the period of the request.

However, I advise that I am refusing the second and third parts of your request regarding the reasons for resignation and the stations they were assigned to due to the very small number of members involved. 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. Personal information is defined at section 2 of the FOI Act and includes the following.

## **Section 2 – Interpretation**

### **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*

*and, without prejudice to the generality of the foregoing, includes—*

*(iii) information relating to the employment or employment history of the individual,*

*(v) information relating to the individual in a record falling within section 11(6)(a),*

As referenced at section 2 above, section 11(6)(a) refers to access to records but does not include certain personal records. Section 11(4) sets out the right of access to records and the types of records that can be accessed. However in section 11 there are number records that are considered personal and are not automatically subject to release by an FOI body. Section 11(6)(a) sets out the records that are not included for release at section 11(4).

*(6) Subsection (4) shall not be construed as applying, in relation to an individual who is a member of the staff of an FOI body; the right of access to a record held by an FOI body that—*

*(a) is a personnel record, that is to say, a record relating wholly or mainly to one or more of the following, that is to say, the competence or ability of the individual in his or her capacity as a member of the staff of an FOI body or his or her employment or employment history or an evaluation of the performance of his or her functions generally or a particular such function as such member,*

I believe that by releasing this information the individuals involved will become 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. The release of this information, which is specific to each individual, will allow for a person to become more identifiable and possibly named in the public domain. I am therefore applying Section 37(1) Personal Information which states:

### ***Section 37 - Personal Information***

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).*

There is a Public Interest Test applicable to section 37 of the FOI Act.

### ***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 test was carried out when considering the release of the personal information but having balanced the factors both for and against the release, I decided that the public interest in preserving the personal information on what is essentially a personal decision outweighs the public interest which would be served were the records released to you.

## **2. Rights 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-000232-2016**.

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:** IE86B0F190001710026896  
**BIC:** BOFIE2D

**You must ensure that your FOI reference number 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](http://www.garda.ie).

Personal details in respect of your request will be removed to protect confidentiality where applicable.

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.**

 **JULY 2016**