



**Southdown Sheep Society Council meeting  
Wednesday May 6<sup>th</sup> 2020 at midday  
Held via conference call**

## Minutes

**Those present:**

Sid Cook	(SC)	
Duncan Crundwell	(DC)	
Lindsay Dane	(LD)	
Patrick Goldsworthy MBE	(PG)	
Paul Humphrey	(PH)	
Stephen Humphrey	(SH)	
Jonathan Long	(JL)	Chairman
Tim Morris	(TM)	
Les Newman	(LN)	
Miriam Parker	(MP)	
Michael Sprake	(MS)	President
Neil Stainthorpe	(NS)	Hon. Treasurer
Howard Wood	(HW)	Vice Chairman
Gail Sprake	(GS)	Secretary

<u>Agenda Item</u>	<u>Action by</u>	<u>Due by</u>
<p><b>1. Welcome</b></p> <p>The Chairman welcomed all to the conference call meeting.</p>		
<p><b>2. Apologies:</b></p> <p>Apologies had been received from Nick Page.</p> <p>Justin Harmer and Edward Harmer did not partake in the meeting due to conflict of interest.</p>		

<p><b>3.</b> The Chairman explained the procedure to enable a Council meeting to be called, under Article 14 (4) under the Articles of Association of the Southdown Sheep Society.</p> <p>All in agreement.</p>		
<p><b>4. Declarations of interest</b></p> <p>None declared by Council members present.</p>		
<p><b>5. Letter received from S Harmer on Friday May 1<sup>st</sup> regarding Subject Access Request under GDPR</b></p> <p>The Chairman reiterated that three Subject Access Requests had been received from the Harmer family in May 2019, namely from Susan Harmer, John Justin Harmer and Elizabeth Sargent. The officers and lawyer dealt with those requests, these previous request letters have recently been circulated to all Council members. There had been no follow up from those persons making the SARs, or to query 'illegible' sections.</p> <p>The Chairman outlined three possible options:</p> <ul style="list-style-type: none"> <li>i) respond with all relevant paperwork, no legal advice to be purchased</li> <li>ii) respond stating that Council considers the demand to be unfounded and request a fee</li> <li>iii) respond but refuse to supply any information</li> </ul> <p>Council members expressed their comments:</p> <ul style="list-style-type: none"> <li>• All members have the right to request information under GDPR legislation</li> <li>• None of the SARs from 2019 resulted in any of the 'normal' follow up actions, with no requests for information to be deleted, corrected or in any way amended. Suggesting these requests were not made for the commonly understood purpose of a SAR and were intended to disrupt.</li> <li>• A copy of all documentation relating the 2019 SARs is on file</li> <li>• Approximately 30 hours of secretarial time was expended in the 2019 SARs and approximately £4000 (ex VAT) legal fees.</li> <li>• Individual Council members expressed bewilderment and dismay that a further SAR has been submitted</li> <li>• No intention stated as to the purpose of the SAR request, leading some Council members to consider this could be an unfounded excessive request</li> <li>• Comment was voiced regarding the timing of the SAR with Council meeting taking place two days prior to receipt of letter</li> <li>• Individual Council members emphasized the need to seek legal advice and guidance before any response is made</li> <li>• Council was reminded of the parting words of J Harmer at the Council meeting on December 4<sup>th</sup> 2019 in which it was stated that S Harmer would 'pursue legal action if no satisfactory result'</li> <li>• Some Council members considered this as intended to cause disruption and targeted against the secretary</li> <li>• Some Council members considered that the time had been reached where a stand has to be taken and a clear decision made, the EGM showed clear support in Council</li> <li>• Considerable discussion regarding the charge of a fee prior to work undertaken <ul style="list-style-type: none"> <li>➤ quote could be obtained from solicitor in advance and an estimate of secretarial time involved</li> </ul> </li> </ul>		

<p>➤ some Council members donated considerable time in relation to 2018/19 issues, any fee should reflect trustee time also</p> <p>Two proposals were put forward:</p> <p><b>PROPOSAL ONE</b> Proposed by T Morris, seconded by D Crundwell</p> <p>Council considers this Subject Access Request to be manifestly unfounded, in that the intent is to be disruptive, is related to allegations that have been repeatedly found to be unsubstantiated, and continues to be targeted against the Society's contractor against whom they have a personal grudge.</p> <p>The second part of the Subject Access Request relates to information previously requested (from 30th April to 3rd June 2019), has already been properly supplied with full disclosure and legal advice and review of its legibility and so this is considered excessive in that it repeats the substance of previous request.</p> <p>Council can charge a reasonable fee as we have decided that this request is manifestly unfounded or excessive or we are providing the same information again.</p> <p>This fee should be estimated to include time spent by solicitor and secretary and communicated to the requestor. Only when the Society have received this fee should the information be provided, within one calendar month. If the amount spent is less than estimated, the balance should be returned to the requestor.</p> <p>On a vote: 10 for, 0 against, 3 abstentions</p> <p><b>PROPOSAL TWO</b> PROPOSED BY L Dane, seconded by S Humphrey</p> <p>Council to seek, in the first instance, professional advice from a solicitor as to whether the Subject Access Request is considered 'manifestly unfounded'.</p> <p>On a vote: 5 for, 6 against, 2 abstentions</p> <p>It was agreed that the Chairman would contact ICO to seek advice, then update the Council to confirm the course of action.</p> <p>Secretary to formally acknowledge receipt of letter from S Harmer.</p> <p>PG expressed his thanks to the officers for involving Council in this dealing with this matter.</p> <p>T Morris asked officers to consider whether the position as trustees of two close family members was now untenable, given the conflict of interest involved, and that J Harmer had made an individual Subject Access Request in May 2019.</p>		
<p><b>6. Any Other Business</b></p> <p>There was no other business.</p>		
<p><b>CLOSE</b></p> <p>The meeting closed at 1307h</p>		