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Bamber Bridge
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My ref: 2026-JW-CASE-3984
Your ref:

Thursday, 12 March 2026

Maya Ellis MP
House of Commons
London
SW1A 0AA

Delivered by email: maya.ellis.casework@parliament.uk and maya.ellis.mp@parliament.uk

Dear Maya Ellis,

Re: Urgent Constituency Matter - Failure of Consumer Protection Mechanisms - Whittle v EE Limited - Multiple Regulatory Breaches - Imminent Deadline 27 March 2026

I am writing to you as my Member of Parliament to seek your urgent assistance with a matter that has now escalated beyond an individual consumer dispute into a serious question about the adequacy of consumer protection mechanisms in the United Kingdom.

I am a constituent living at 266 Station Road, Bamber Bridge, Preston, PR5 6EB. I have been engaged in a dispute with EE Limited since July 2025 following the cancellation of a signed, regulated credit agreement. Despite exhausting every available regulatory channel - including the Financial Ombudsman Service, the Information Commissioner's Office, and the Financial Conduct Authority - I now face an irreversible deadline of 27 March 2026 that may permanently affect my legal rights, without having received answers to legitimate and documented questions, and without access to evidence that EE Limited has unlawfully withheld.

I am not writing to ask you to resolve this dispute. I am writing to place on record that the consumer protection framework - the FOS, the ICO, the FCA, and EE's own complaint handling obligations under DISP - has demonstrably failed to protect a consumer who followed every correct channel, submitted comprehensive evidence, and engaged in good faith throughout. I am asking for your intervention as my elected representative to apply parliamentary pressure where the regulatory system has not.

1. Case Details

Complainant	Jack Whittle, 266 Station Road, Bamber Bridge, Preston, PR5 6EB
Firm	EE Limited (FCA reg. 715183; ICO reg. Z7510687)
Product	Fixed Sum Loan Agreement - iPhone 16 Pro Max 256GB
Order ref	xko299591893 BAN: 225386871
FOS ref	PNX-5712039-X0S5
EE complaint ref	B2C0158669 / 2026-JW-COM-9191

ICO complaint	Submitted 06 March 2026
FCA report	Case ref 212127932 - filed 11 March 2026
FOS deadline	27 March 2026

2. Background - What Happened

2.1 On 23 July 2025, following telephone advice from an EE advisor confirming I had passed a credit assessment, I placed an online order for an iPhone 16 Pro Max 256GB on a Fixed Sum Loan Agreement regulated by the Consumer Credit Act 1974.

2.2 EE's own internal records - disclosed in part via a Subject Access Request - confirm the following sequence on 23 July 2025:

- 14:32:38 - DCT credit check: Credit decision: Accept. Status: PCO: Success.
- 18:59:54 - Signature timestamp recorded.
- 19:01:04 - Order placed.
- 19:01:40 - Order confirmation issued.

2.3 The credit agreement states at Clause 2: "This device credit agreement is made on the date that you sign it." The £30 advance payment was made and accepted by EE on 23 July 2025, satisfying the condition precedent at Clause 7. The agreement was formed. The condition precedent was satisfied.

2.4 On 24 July 2025 EE cancelled the order, stating I was "ineligible." The agreement's termination provisions at Clause 20 permit EE to cancel only for non-payment or plan breach. Neither applies. "Lending criteria / confidentiality" does not appear anywhere in the agreement as a basis for termination after signature and advance payment. EE has never provided any contractual basis for the cancellation despite repeated requests over eight months.

2.5 On 25 July 2025, EE's own Credit Referrals team (Lee Fairlamb) confirmed in writing, in direct response to a query referencing order xko299591893:

"Upon further Investigation I can see your application was successfully accepted on 23rd July 2025, so I am unsure why you say your order was cancelled."

2.6 On 15 August 2025 I accepted a £50 goodwill payment strictly on a without-prejudice basis and on express written conditions. EE confirmed in writing on 17 August 2025 that the payment would be arranged "on the conditions you have stated." EE subsequently told the Financial Ombudsman Service in September 2025 that the matter was "resolved" - a representation that was inaccurate, misleading, and in direct contradiction to EE's own written acceptance of my conditions.

3. Financial Ombudsman Service - Outcome and Failings

3.1 The Financial Ombudsman Service issued a Final Decision on 27 February 2026 (ref: PNX-5712039-X0S5), awarding £150 compensation and directing removal of the application from my credit file. I have not accepted that decision. The acceptance deadline is 27 March 2026.

3.2 The FOS Final Decision uses language that implicitly acknowledges a signed credit agreement existed - "when Mr W placed the order online and signed the credit agreement" and "cancelling the credit agreement" - but does not address the agreement's own termination provisions at Clause 20. The decision was issued nine days after I submitted substantive new

evidence on 17 and 18 February 2026. That evidence was not referenced in the Final Decision.

3.3 I submitted a formal service complaint to the FOS on 06 March 2026, documenting five specific procedural deficiencies. An addendum was submitted on 09 March 2026 documenting a pattern of systemic failure to engage with submissions across five separate responses from four separate parties. An operational people manager, Iain Brown, has committed to respond by 23 March 2026.

3.4 The fundamental problem is this: the FOS acceptance deadline of 27 March 2026 and the ICO complaint processing timeframe of approximately 40 weeks are irreconcilable. I am being asked to make a permanent and irreversible decision - one that may waive my court rights - without access to the SAR evidence that would inform it, because EE has unlawfully withheld that evidence. That prejudice is entirely of EE's own making.

4. Subject Access Request - Continuing Breach

4.1 I submitted a comprehensive Subject Access Request to EE's Data Protection Officer on 26 November 2025. EE extended the deadline to 26 February 2026 under Article 12(3) UK GDPR. A partial disclosure was provided on 12 February 2026 which remains materially incomplete.

4.2 The following categories of personal data remain outstanding:

- (a) The full system audit trail for order xko299591893 - including all status changes, timestamps, and cancellation reason codes.
- (b) All credit and eligibility decisioning outputs, reason codes, and risk flags.
- (c) Internal communications between all relevant departments.
- (d) Communications with the Financial Ombudsman Service.

4.3 EE has read and ignored three separate follow-up communications. The extended deadline of 26 February 2026 expired without compliance. A formal complaint was submitted to the Information Commissioner's Office on 06 March 2026.

4.4 On 09 March 2026 EE's SAR team issued a confirmation request for a new Subject Access Request under Request ID 4LEA7FS34Z - an apparent attempt to reset the compliance clock on an obligation already four months overdue. I declined to confirm the new request and placed EE on notice accordingly.

5. New Formal Complaint and EE's Refusal to Engage

5.1 On 09 March 2026 I submitted a new formal complaint to EE (ref: 2026-JW-COM-9191) raising distinct matters including the continuing SAR breach, the misrepresentation of settlement status to the FOS, and the absence of any contractual basis for the cancellation.

5.2 A member of EE Executive Complaints, Lynn O'Brien-Bird, stated in writing on 09 March 2026 and verbally on 10 March 2026 that EE would not be revisiting the complaint. This is a direct breach of DISP 1.2.1 R and DISP 1.6.2 R of the FCA's Dispute Resolution sourcebook, which require firms to handle complaints whether justified or not and to provide a substantive final response within eight weeks. Whether to engage is not a choice available to a regulated firm. It is a regulatory obligation.

5.3 A formal report was submitted to the Financial Conduct Authority on 11 March 2026 (case ref: 212127932) regarding EE's breach of its DISP obligations.

6. Failure of Consumer Protection Mechanisms

6.1 I have now engaged every available consumer protection channel:

- EE formal complaint process - exhausted. EE issued a Final Response and has now refused to engage with the new complaint.
- Financial Ombudsman Service - Final Decision issued. Service complaint pending with Iain Brown.
- Information Commissioner's Office - complaint submitted 06 March 2026. Processing timeframe approximately 40 weeks.
- Financial Conduct Authority - report filed 11 March 2026, case ref 212127932.
- Ofcom - report submitted 11 March 2026.
- Independent Assessor - submitted 06 March 2026. Referred back pending FOS service complaint conclusion.

6.2 Not one of these channels has produced a resolution. Not one has answered the single most important question I have asked: does accepting the £150 FOS award close the fresh complaint route and/or waive my court rights? I face a deadline of 27 March 2026 to answer that question - a decision with permanent and irreversible consequences - without the evidence that would inform it.

6.3 The system as currently designed places a large corporation with a legal team and a compliance department in a structurally superior position to an individual consumer acting alone. EE can ignore SAR obligations, refuse to engage with complaint obligations, and exhaust a consumer through delay and deflection - all while the regulatory bodies process complaints on timelines measured in months and years. That is not a system that protects consumers. It is a system that protects corporations.

6.4 I note that you are a member of the Digital Inclusion All-Party Parliamentary Group. The conduct described in this letter - a large telecommunications and financial services provider withholding evidence, refusing to engage with regulatory obligations, and exploiting the complexity of the consumer protection framework - is directly relevant to questions of digital and financial inclusion and the ability of ordinary consumers to navigate regulated markets fairly.

7. What I am Asking

7.1 I am asking you to:

- (a) Write to EE Limited on my behalf as my elected representative, requiring EE to confirm whether it intends to comply with its DISP obligations in relation to complaint ref 2026-JW-COM-9191 and to complete the outstanding SAR by 23 March 2026.
- (b) Write to the Financial Ombudsman Service on my behalf, drawing attention to the irreconcilable conflict between the 27 March 2026 acceptance deadline and the ICO processing timeframe, and requesting that the FOS confirm in writing whether accepting the £150 award closes the fresh complaint route identified in the Ombudsman's own Final Decision.
- (c) Raise with the relevant minister or parliamentary committee the systemic failure of consumer protection mechanisms evidenced by this case - specifically the inability of a consumer to obtain answers to legitimate procedural questions before an irreversible statutory deadline.

7.2 I am not asking you to take a view on the merits of the dispute. I am asking you to apply the pressure that only a Member of Parliament can apply - pressure that the regulatory system has demonstrably failed to provide.

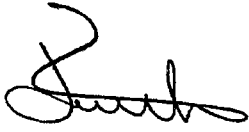
8. Key Chronology

23 July 2025	Agreement signed. £30 paid. DCT Accept recorded. Order confirmation issued.
24 July 2025	EE cancels order. Formal complaint submitted.
25 July 2025	EIV FAIL recorded. Lee Fairlamb confirms "successfully accepted on 23rd July 2025."
15 Aug 2025	£50 accepted without prejudice on express written conditions.
17 Aug 2025	EE confirms payment "on the conditions you have stated."
20 Aug 2025	EE Final Response issued.
09 Sept 2025	EE misrepresents matter as "resolved" to FOS.
26 Nov 2025	Comprehensive SAR submitted.
24 Dec 2025	EE extends SAR deadline to 26 February 2026.
19 Jan 2026	FOS investigator preliminary view: £150 recommended.
26 Jan 2026	Formal rejection of investigator view submitted.
12 Feb 2026	Partial SAR disclosure received - materially incomplete.
13 Feb 2026	SAR incompleteness letter sent. Read receipt confirmed 10:33.
17-18 Feb 2026	Substantive new evidence submitted to FOS.
26 Feb 2026	SAR deadline expires. Chaser sent. No response.
27 Feb 2026	FOS Final Decision issued. £150. Deadline: 27 March 2026.
02 Mar 2026	Formal SAR breach notice sent. Read receipt confirmed 10:31.
05 Mar 2026	FOS service complaint submitted. Position preservation letter sent.
06 Mar 2026	ICO complaint submitted.
09 Mar 2026	New formal complaint ref 2026-JW-COM-9191 submitted to EE.
09 Mar 2026	Lynn O'Brien-Bird refuses in writing to engage with new complaint.
10 Mar 2026	Lynn O'Brien-Bird refuses verbally to engage. SAR final notice sent.
11 Mar 2026	FCA report filed. Case ref 212127932. Ofcom report submitted.
23 Mar 2026	EE SAR and complaint deadline. Iain Brown FOS response deadline.
27 Mar 2026	FOS acceptance deadline - permanent and irreversible.

I enclose this letter as a comprehensive summary of the position. I am happy to provide any supporting documentation you require, including the FOS Final Decision, the SAR disclosure, and all relevant correspondence.

I would be grateful for your urgent attention to this matter given the deadline of 27 March 2026. I can be contacted by email at jackwhittle@zoho.com or by telephone on 07377 077930.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jack Whittle', with a large, stylized initial 'J'.

Jack Whittle

Constituent - Bamber Bridge, Preston, PR5 6EB