

Subject: Re: Priority Reference Number: 27739943
From: "Whittle, Jack" <jackwhittle@zoho.com>
Sent: 11/03/2026 08:12:13
To: customer.complaints@ee.co.uk
CC: "claire.gillies@ee.co.uk" <claire.gillies@ee.co.uk>
Attachments: EE_Final_Notice_SAR_Deficiencies_2026-JW-SAR-001_11032026.pdf

Dear Ms O'Brien-Bird,

CC: Ms Claire Gillies

Please find attached my formal final notice dated 11 March 2026.

I will not be engaging in further correspondence about whether EE intends to respond. That question has been answered by law, not by EE's preference. I appreciate that this may come as a surprise, so I have taken the time below to explain EE's legal obligations in some detail. I would encourage you to read them carefully.

For Ms O'Brien-Bird's convenience, I also kindly draw her attention to points 2, 3, 4, and 5 below, which address matters of equal seriousness and require EE's immediate attention.

EE Limited is a UK-registered business authorised and regulated by the Financial Conduct Authority (FCA reg. 715183). That authorisation carries with it obligations that are not optional, not discretionary, and not subject to override by you or another member of staff stating in writing on 09 March 2026 and verbally on 10 March 2026 that EE will not engage.

1. What DISP 1.6 actually says - for the avoidance of any doubt

The FCA's Dispute Resolution sourcebook - known as DISP - is publicly available and I would strongly encourage EE to consult it before giving ill-advised comments to customers, especially if those members of staff are not privy to the obligations it imposes - as it appears some clearly are not. The FCA Handbook can be found at: <https://handbook.fca.org.uk/handbook> - EE may wish to navigate to DISP 1.6 specifically. As this is a new complaint - as has now been documented and communicated to EE on no fewer than three separate occasions - EE has a legal duty to follow the DISP rules. Whether to engage or not engage is not a choice available to EE. It is a regulatory obligation. EE does not get to opt out.

For convenience, I reproduce the relevant provisions below for your convenience.

DISP 1.2.1 R states:

"A firm must have in place and operate appropriate and effective internal complaint handling procedures for handling any expression of dissatisfaction, whether oral or written, and whether justified or not, from or on behalf of an eligible complainant about the firm's provision of, or failure to provide, a financial service."

DISP 1.6.2 R states:

"Subject to DISP 1.6.2AR, the respondent must, by the end of eight weeks after its receipt of the complaint, send the complainant a final response."

A "final response" means a written response that either accepts the complaint and offers redress, or rejects the complaint with reasons - and informs the complainant of their right to refer the matter to the Financial Ombudsman Service.

I draw EE's attention to the words "whether justified or not" in DISP 1.2.1 R. EE does not get to decide in advance that a complaint is not worth responding to and decline to engage on that basis. That is precisely what DISP exists to prevent.

The written statement made by you on 09 March 2026 - and repeated verbally on 10 March 2026 -

that EE would not be revisiting the complaint does not constitute a final response. It does not constitute any response at all for the purposes of DISP. It is, with respect, irrelevant to EE's regulatory obligations.

Complaint ref 2026-JW-COM-9191 was submitted on 09 March 2026. EE's eight-week DISP clock began on that date. A substantive, reasoned, and justified final response is required. Failure to provide one will be reported to the Financial Conduct Authority as a breach of DISP 1.6.2 R without further notice.

I will not be chasing. I will simply be reporting.

2. UK GDPR - EE is already in breach

My Subject Access Request dated 26 November 2025 remains materially incomplete. The extended deadline of 26 February 2026 has expired. EE has read and ignored three separate follow-up communications. The additional disclosure provided 10 March 2026 still does not contain the primary records outstanding since 13 February 2026.

EE is in continuing violation of Articles 12 and 15 UK GDPR. An ICO complaint was submitted on 06 March 2026 and remains live. The attached letter sets out precisely what remains outstanding and what EE must produce by 23 March 2026.

3. The attempted SAR clock reset is on record

EE's attempt on 10 March 2026 to reframe the outstanding SAR as a new request - thereby resetting the compliance clock on an obligation already significantly overdue - has been documented, refused, and reported. Any further attempt to obstruct compliance in this way will be reported to the ICO as deliberate procedural obstruction and to the FCA as a breach of PRIN without further notice.

4. Court proceedings are being actively considered

Should I issue proceedings, every aspect of EE's conduct will be before the court - the cancellation without contractual basis, the SAR obstruction, the misrepresentation of settlement status to the Financial Ombudsman Service, the attempted reset of the SAR clock, and the written and verbal refusal to engage with a statutory complaint obligation. A judge will consider all of it.

EE has had every opportunity to resolve this matter. It has chosen at every stage to obstruct, deflect, and ignore. That choice has consequences.

5. What is required by 23 March 2026

(a) Full compliance with the outstanding SAR categories as detailed in the attached letter - including the complete system audit trail for order xko299591893, all decisioning outputs, and all internal communications.

(b) A substantive, reasoned, and justified response to formal complaint ref 2026-JW-COM-9191 - not a verbal dismissal, not a statement that EE will not engage, but a **written response that complies with DISP 1.6.2 R.**

(c) The name of the Data Protection Officer or senior SAR contact taking personal responsibility for compliance with the outstanding SAR obligations.

For every category of data not disclosed, EE must confirm in writing whether that data is disclosed herewith, is not held, or is withheld - identifying the precise statutory exemption relied upon with sufficient particularity for it to be challenged. Generic exemption claims will not be accepted.

There will be no further notices, no further chasers, and no further extensions. 23 March 2026 is the deadline. What happens after that date is entirely of EE's own making.

EE Limited is on formal notice.

Regards,

Jack Whittle

☎ 07377 077930

🌐 jackwhittle.co.uk

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Please consider the environment before printing this email

From: "Whittle, Jack" <jackwhittle@zoho.com>
Date: 10 March 2026 11:56:13
To: customer.complaints@ee.co.uk
Subject: Re: Priority Reference Number: 27739943

Lyn,

Sorry, correction - Our conversation 10 March.

Regards,

Jack Whittle

☎ 07377 077930

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From: "Whittle, Jack" <jackwhittle@zoho.com>
Date: Tuesday, 10 March 2026 11:48:58
To: customer.complaints@ee.co.uk
Cc: "cpo@bt.com" <cpo@bt.com>, "Iain.Brown@cases.financial-ombudsman.org.uk" <Iain.Brown@cases.financial-ombudsman.org.uk>
Subject: Re: Priority Reference Number: 27739943

Dear Ms O'Brien-Bird,

I write further to our telephone conversation today, 09 March 2026, in which you stated that EE would not be revisiting the complaint.

I am placing that statement on record and correcting the position immediately.

My letter dated 09 March 2026 (ref: 2026-JW-COM-9191) constitutes a new formal complaint - not a request to revisit the original. It raises distinct matters including EE's continuing SAR breach, EE's misrepresentation of settlement status to the Financial Ombudsman Service, and the absence of any contractual basis for the cancellation of the Fixed Sum Loan Agreement dated 23 July 2025. Those matters have not previously been the subject of a final response from EE.

EE's eight-week statutory obligation to respond to a new formal complaint under DISP 1.6 of the FCA's Dispute Resolution sourcebook begins from the date of receipt of that complaint. That obligation is not discharged by a verbal statement that EE will not engage. It is a regulatory requirement, not a courtesy. EE's failure to comply will be reported to the Financial Conduct Authority without further notice.

I also write to address a separate and equally serious matter arising today.

I am in receipt of an email from 'Privacy at EE' containing a confirmation request under Request ID 4LEA7FS34Z.

This is not a new Subject Access Request. I submitted a comprehensive Subject Access Request to EE's Data Protection Officer on 26 November 2025. EE extended the response deadline to 26 February 2026 under Article 12(3) UK GDPR. A partial disclosure was provided on 12 February 2026. That disclosure was and remains materially incomplete. The extended deadline has expired. EE is already in breach.

It is that existing request - and EE's continuing failure to comply with it - that you referred to your SAR team in your email of 09 March 2026. I am not making a new Subject Access Request. I am requiring completion of the original request dated 26 November 2025. EE does not receive a fresh compliance period by reframing an outstanding and overdue legal obligation as a new request. That is not how Articles 12 and 15 UK GDPR operate.

I am aware of exactly what is happening here. Any attempt to reset the compliance clock will be reported to the Information Commissioner's Office immediately and added to the existing ICO complaint submitted on 06 March 2026.

I require confirmation of the following by return:

- (a) Whether your SAR team has access to the original Subject Access Request dated 26 November 2025 and the partial disclosure provided on 12 February 2026.
- (b) Whether the outstanding categories of personal data identified in my incompleteness letter dated 13 February 2026 are being treated as the basis for further action - not a new request.
- (c) Whether EE intends to complete the original SAR - not initiate a new one - and by what specific date.
- (d) Whether EE intends to respond substantively to the new formal complaint under ref 2026-JW-COM-9191, and by what date.

I will not be confirming Request ID 4LEA7FS34Z. That request should be closed. The original SAR dated 26 November 2025 must be completed without further delay.

EE is now on notice on both counts.

Regards,

Jack Whittle

☎ 07377 077930

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From: "Whittle, Jack" <jackwhittle@zoho.com>
Date: 09 March 2026 14:43:22
To: customer.complaints@ee.co.uk
Subject: Re: Priority Reference Number: 27739943

Dear Ms O'Brien-Bird,

Thank you for your email.

I note your response and place the following on record:

1. Your email confirms that EE's Subject Access Request team will be in touch separately regarding my DSAR. That is an acknowledgement that the SAR dated 26 November 2025 remains incomplete. The extended deadline of 26 February 2026 has already expired. I expect full compliance by 23 March 2026, as stated in my letter dated 09 March 2026 (ref: 2026-JW-COM-9191).
2. Your statement that EE will not revisit the complaint decision is noted. My letter of 09 March 2026 constitutes a new formal complaint arising from EE's conduct since the original complaint - including the continuing SAR breach, the misrepresentation of settlement status to the Financial Ombudsman Service, and the absence of any contractual basis for the cancellation of the Fixed Sum Loan Agreement dated 23 July 2025. That new complaint has not been addressed in your response.
3. Your statement that further emails will be noted but not responded to is also noted. An ICO complaint was submitted on 06 March 2026. I am actively considering issuing proceedings in the County Court. EE's decision to cease engagement is a matter of record.
4. The Financial Ombudsman Service issued a Final Decision on 27 February 2026 (ref: PNX-5712039-X0S5). I have not accepted that decision. The acceptance deadline is 27 March 2026. I have been directed by the Ombudsman to take my complaint to a court of law if I do not accept her decision. I intend to preserve every available option.
5. EE's continuing and unlawful withholding of my personal data is directly prejudicing my ability to make an informed decision before the Financial Ombudsman Service's acceptance deadline of 27 March 2026. The outstanding SAR material - including the full system audit trail for order xko299591893 and all associated decisioning records, of which - may shed further light on the circumstances of the cancellation and the factual findings relied upon in the Final Decision. Because that material remains withheld, I cannot assess its significance, cannot determine which course of action best protects my position, and cannot make a fully informed decision on whether to accept, reject, or pursue an alternative route before the deadline imposed. That prejudice is entirely of EE's own making. It is unacceptable, it is unlawful, and it must be addressed immediately. EE cannot on the one hand withhold evidence, and on the other expect a consumer to make a permanent and irreversible decision in its absence. That position is untenable and will be placed before the ICO and the court accordingly.

The deadlines in my letter of 09 March 2026 were not an invitation to negotiate. Full SAR compliance is required by 23 March 2026. A substantive response to the new formal complaint is required by the same date. EE's unilateral decision to cease engagement does not extinguish those obligations - it simply adds to the record of conduct that will be placed before the ICO and, if necessary, the court.

I also note that your response addresses me as "Rebecca." My name is Jack Whittle. That error is consistent with the pattern of careless handling that has characterised EE's engagement with this matter throughout.

EE's silence will speak for itself.

Regards,

Jack Whittle

📞 07377 077930

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From: customer.complaints@ee.co.uk

Date: 09 March 2026 14:17:04

To: jackwhittle@zoho.com

Subject: Re: Priority Reference Number: 27739943

Good afternoon Mr Whittle

Thanks for your further email. I'm sorry you remain unhappy.

Our Subject Access Request Team will be in touch separately regarding your DSAR.

In relation to the decision made regarding your complaint. We would not be revisiting this. Please either reach back out to The Financial Ombudsmen, or take the necessary action if you want to pursue this further.

Any further emails in relation to this same issue, will be noted against but not responded to.

Thanks again for your email Rebecca. I know this is not the response you were hoping for, but I trust I have clarified our position on this matter.

kind regards

Lynn O'Brien-Bird
Executive Complaints

Tel- 0800 079 5327*

Calls to this number are free of charge from all UK consumer mobile or landline phones in the UK. If you are calling from a different phone, you should check with your provider whether there will be a charge for calling 0800 numbers. Our standard opening hours are 8am to 8pm Monday to Friday, Saturday 8am to 6pm and Sunday 9am to 6pm



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On 09/03/2026 12:14, Jack Whittle wrote:

General

Phone Number: 07377077930
Email Address: jackwhittle@zoho.com

Triage by LK

General

From: Claire Gillies (G R) <claire.gillies@ee.co.uk>
Sent: 09 March 2026 09:13
To: Executive complaints <executive.complaints@ee.co.uk>
Subject: FW: New Formal Complaint and Final Notice – Ref: 2026-JW-COM-9191 – SAR Breach, FOS Outcome, and Notice of Potential Legal Action

General

Pls review and respond.

Thx.

General

From: Whittle, Jack <jackwhittle@zoho.com>
Sent: 09 March 2026 09:00
To: Claire Gillies (G R) <claire.gillies@ee.co.uk>

Subject: New Formal Complaint and Final Notice – Ref: 2026-JW-COM-9191 – SAR Breach, FOS Outcome, and Notice of Potential Legal Action

You don't often get email from jackwhittle@zoho.com. [Learn why this is important](#)

Dear Sir or Madam,

Please find attached my formal letter dated 09 March 2026, constituting a new complaint and final notice under my reference 2026-JW-COM-9191.

This letter arises from EE's conduct since the original complaint (EE ref: B2C0158669; FOS ref: PNX-5712039-X0S5) and covers three distinct and serious matters:

1. EE's continuing breach of Articles 12 and 15 UK GDPR - my Subject Access Request dated 26 November 2025 remains materially incomplete. The extended deadline of 26 February 2026 expired without compliance. EE has read and ignored three separate follow-up communications. A formal complaint was submitted to the Information Commissioner's Office on 06 March 2026.
2. EE's misrepresentation of settlement status to the Financial Ombudsman Service in September 2025 - EE told the FOS the matter was 'resolved' despite my express without-prejudice conditions and EE's own written acceptance of those conditions.
3. Notice of potential legal action - the Financial Ombudsman Service issued a Final Decision on 27 February 2026 (ref: PNX-5712039-X0S5) proceeding on the explicit basis that a credit agreement existed and was signed. I have not accepted that decision. The acceptance deadline is 27 March 2026. I am actively considering issuing proceedings in the County Court for breach of the Fixed Sum Loan Agreement dated 23 July 2025, on grounds set out in full in the attached letter.

I am giving EE one final opportunity to comply with its outstanding SAR obligations by 23 March 2026. EE's response - or continued silence - will directly inform my decision on next steps.

For completeness, I attach the thread of emails with regards to chasing the incomplete SAR.

I require acknowledgement of this complaint by return. I require a substantive response, including compliance with the outstanding SAR obligations identified in section 4.2 above, by 23 March 2026.

EE Limited is now on formal notice.

Regards,

Jack Whittle

■ 07377 077930

■ jackwhittle.co.uk

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