



NCN: [2023] UKFTT 00551 (GRC)

Case Reference: EA/2023/0051/GDPR

First-tier Tribunal
General Regulatory Chamber
Information Rights

Order made on: 29 June 2023
Decision given on: 3 July 2023

Between

AMAR HAYAT

Appellant

and

THE INFORMATION COMMISSIONER

Respondent

DECISION

The appeal is struck out pursuant to rule 8(3)(c) of the Tribunal Procedure (First-tier Tribunal)(General Regulatory Chamber) Rules 2009 on the grounds that it has no reasonable prospect of succeeding.

REASONS

1. The Appellant has applied to the Tribunal on the grounds that the Respondent has failed to take certain procedural actions in relation to his complaint.
2. The Appellant does not agree with the Respondent's findings on his complaint and believes that the Respondent should take further action against British Gas. The Appellant's complaint is that British Gas sends sensitive information by normal post and not by email despite his requests to the contrary. British Gas has the facility to send correspondence to its customers by email but has failed to update its system in the multi-premises department who deal with customers like the Appellant. The Appellant seeks an order of the Tribunal to stop communicating with the Appellant by post due to the potential for breaches of the Data Protection Act 2018 ("the DPA 2018") and the General Data Protection Regulation.
3. The Appellant seeks an order under section 166 of the DPA 2018 to correct the procedural failings on the part of the Respondent.

4. I find that the Respondent considered the Appellant's complaint, provided the Appellant with an outcome and a case review of the outcome and has taken appropriate steps to respond to the Appellant's complaint within the requirements of the legislation.
5. I find that the Respondent has taken steps to comply with the procedural requirements set out in section 166(1) of the DPA 2018 and there are no grounds to make an order under section 166(2) of the DPA 2018.
6. It is open to the Appellant, if so advised, to seek an order of compliance for breach of his data rights under section 167 of the DPA 2018.
7. I find that the Appellant's application clearly has no prospect of success and the Respondent's application is granted.

Signed: *Judge Findlay*

Date: 29 June 2023