

12 August 2016

Referral to the Housing Ombudsman

**Mr. David Collins, 185 Grenfell Tower, Grenfell Road London W11 1TQ
and on behalf of the Grenfell Tower Residents' Compact**

I am referring to you a complaint from Mr Collins to the Kensington and Chelsea Tenant Management Organisation (TMO) in my capacity as one of his ward councillor and as suggested by the TMO in the response to Mr Collins's complaint dated 18 May 2016 (attached). The complaint arises from the TMO's management of a major refurbishment programme undertaken at Grenfell Tower between June 2014 and June 2016.

As the *de facto* Chair and lead member of the Grenfell Tower Residents' Compact, set up with the endorsement of the TMO to provide collective representation of general complaints about the works undertaken at the Tower, Mr Collins asked the TMO at a meeting held on 11 July 2015 to commission an independent fire and safety investigation into the possible risks posed by locating a Heating Interchange Unit (HIU) close to the electrics and fuse boxes in the hallway of the one and two bedroomed homes at Grenfell Tower, given that both are located directly beside the only emergency exit from those dwellings.

Mr Collins and other residents are not satisfied with the response. In particular, he is connected that an undertaking given by Peter Maddison, the TMO Director of Assets and Regeneration, that he would investigate the matter. Mr Collins has seen HIUs fitted directly above fuse boxes, which the TMO said would not occur since it might not be safe. However, when Mr Collins attempted to escalate the complaint through the TMO Complaints Procedure (attached), he was advised that his concern had been registered as an enquiry and not a complaint, since the matter was deemed to fall outside the scope of the complaints policy. It could not therefore be escalated to the next stage.

From Mr Collins's perspective, this highlights a gap in the TMO's procedures. Throughout the refurbishment process at Grenfell Tower, both residents and ward councillors were told to register any concern or problem as a formal complaint, otherwise it would not be recorded and would not be investigated.

Mr Collins's case in this instance is that he registered the concern as a formal complaint as instructed; it was initially responded to as a complaint; but then it could not escalate to the next stage, since his complaint had been re-classified as an enquiry. At no time, however, was Mr Collins advised that this was not a complaint. From his perspective he had lodged the concern as a complaint as required by the TMO.

The gap in the TMO Complaints Procedure - whereby it cannot address complaints of general concern, only of individual concern - was also identified by the Housing and Property Scrutiny Committee of the Royal Borough of Kensington and Chelsea when the Committee considered a petition from Grenfell Tower residents at its meeting on 6 January 2016. As can be seen from the attached minutes and action point on Page 5, the Scrutiny Committee asked the TMO to come forward with a procedure that addressed this gap. To date this has not happened.

In the meantime, the refurbishment project has been completed. Mr. Collins and the residents whom he represents are therefore left in limbo, without what they would view as a fully authoritative reply to their continuing worry about the HIU locations in many hallways and in some instances directly above the fuse box.

Judith Blakeman

Councillor, Notting Dale Ward and Labour Group Housing Spokesperson
Royal Borough of Kensington and Chelsea