

**Corporate Services and Housing**

Kensington Town Hall, Hornton Street, Kensington, London, W8 7NX

**Town Clerk**

Mr Nicholas Holgate

**Director of Housing**

■ Laura Johnson

Mr R Briggs



My reference: RBKC/06336

Your reference:

Please ask for: Amanda Johnson

8 March 2017

Dear Mr Briggs,

**Stage 1 complaint**

I am writing in response to your complaint of 19 February 2017 about the Council's monitoring of the KCTMO's performance on complaints. This matter has been referred to me in my capacity as the Head of Housing Commissioning, with this letter constituting the formal response at Stage 1 of the Council's complaints procedure, a link to which was provided to you on 20 February 2017.

My understanding of your complaint is that you are unhappy because you do not believe RBKC has a Performance Indicator (PI) for complaints against the KCTMO. You suggest this amounts to maladministration and explains why the Leader of the Council can say that the Authority is satisfied with the TMO's performance (as most of the PI's are financial in nature). You have asked for an explanation why [TMO] complaints have been omitted from RBKC's PI's and have asked who is personally responsible for them not being included as such.

The TMO is judged to have a robust management complaints system, which ultimately ends with the judgement of the Ombudsman – depending on the circumstances this can be the Local Government Ombudsman or the Housing Ombudsman. This is the same recourse for residents as if the complaint was made about the Council. The TMO has its own PI for complaints, which is scrutinised by the TMO Board and the Operations Committee. It is not collected formally by the Council as this would be a duplication. The Council has regular performance meetings with the TMO, as set out in the Performance Agreement, to ensure the TMO is meeting the requirements explicit within the Modular Management Agreement (MMA) and has oversight of the PIs the TMO collects on its own performance. If the TMO is judged to be failing in a particular area, then the MMA sets out the measures that will be taken to rectify the issue. This includes

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the process of developing, implementing and monitoring an improvement plan. If the failures are not remedied, a supervision notice is issued and the Council can elect to take over services and ultimately serve a breach notice to terminate the arrangements.

Performance Indicators are discussed with the TMO and the Council's Housing Commissioning Team annually, and once the suite of PIs and targets are agreed, these are approved by the Council's Housing Management Team and the Cabinet Member for Housing. The PIs are included in the Performance Agreement, which is taken to the Housing and Property Scrutiny Committee in July of each year. Four specific PIs - referred to as Vital Signs - are agreed at corporate level by the Joint Management Team (Directors of the Departments) and Cabinet. These four Vital Signs are then presented to Members at Cabinet on a six-monthly basis. In addition to this, the broader Kensington and Chelsea Performance TMO Report is reported annually.

With regard to your question about who is personally responsible for not including TMO complaints as part of Council PIs, this would fall within the remit of the Director of Housing Laura Johnson.

If you are dissatisfied with this response, you should write stating the reasons why and request that the matter be referred to Stage 2 of the complaints process. This will require that the Director of Housing Ms Laura Johnson undertakes a review of your complaint and provides you with a full written response.

Yours sincerely,

Amanda Johnson  
**Head of Housing Commissioning**