

**Corporate Services and Housing**

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

**Town Clerk**

Mr Nicholas Holgate

**Director of Housing**

Ms Laura Johnson

Mr R. Briggs



My reference: RBKC/06336

Your reference:

Please ask for: Nicholas Holgate

24 April 2017

Dear Mr Briggs,

**Stage 3 complaint**

I am writing in response to your email of 31 March 2017, in which you request that your complaint about the Council be progressed to the next stage. This matter has been referred to me for review in my capacity as Town Clerk, with this letter constituting the formal response at Stage 3 of the Council's complaints procedure.

My understanding of your complaint is that you remain unhappy with the responses provided to you at Stages 1 and 2 of this process by the Head of Housing Commissioning Mrs Amanda Johnson and the Director of Housing Ms Laura Johnson in replying to your original complaint about scrutiny of the KCTMO's performance on complaints. In this regard you are unhappy that the Council does not have a performance indicator that measures the effectiveness or otherwise of the KCTMO's management of complaints about its service. You have previously suggested this amounts to maladministration and that the lack of accountability to the Council in this specific area of its operations is symptomatic of what you view as being the KCTMO's general lack of fitness for purpose.

In considering this matter I have taken account of all relevant documentation and in particular Mrs (Amanda) Johnson's response of 8 March and Ms (Laura) Johnson's response of 30 March 2017. Additionally, I have discussed this matter in some detail with Laura Johnson.

The difficulty I face in providing this response is that you have not really provided any further points in support of your views, nor have you set out any reasoning as to why you were specifically dissatisfied with Laura Johnson's response. I can see that the Council's position was explained in Amanda Johnson's letter to you of 8 March, and in terms of

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the processes involved there is little of any significance I can add; at present the Council is satisfied with the current monitoring arrangements and there are no plans to review or change the process, although we would not rule out the possibility that some revisions may be considered in the future. If any revisions *were* to be implemented, it would be done in full consultation with the TMO and its Board.

I am aware that Mr Stuart Hill, the TMO's Assistant Director of Policy and Performance has emailed you, inviting you to attend a meeting so you can discuss your general concerns about the TMO's performance in respect of its maintenance and management of the Council's housing stock. While I accept this is unlikely to assuage your concerns about the manner in which the Council monitors and calibrates the TMO's performance, I hope that if and when you do meet, this will be a useful starting point in both parties trying to reach a mutual understanding of each other's viewpoints.

The TMO is an independent organisation from the Council with its own Board that has overall responsibility for its performance. The Council is confident that the TMO Board exercises the correct level of scrutiny in ensuring that the services it delivers on behalf of the Council to tenants and leaseholders are of the highest possible standard. The Council has a management agreement with the TMO that clearly sets out the Council's expectations on how these services will be delivered and the Council needs to allow the TMO an appropriate level of autonomy in carrying out its functions. I believe that both the management and performance agreements the Council has with the TMO provide the Council with the necessary safeguards to ensure that the TMO delivers effective services and provide a proportionate level of oversight.

If you remain dissatisfied with my review of your complaint, you may wish to refer the matter to the Local Government Ombudsman (LGO). As you are already aware, the LGO is an independent service that investigates complaints about councils. They are contactable as follows:

Local Government Advice Team

Telephone: [REDACTED]

Website: [www.lgo.org.uk](http://www.lgo.org.uk)

Email: [www.lgo.org.uk/making-a-complaint](http://www.lgo.org.uk/making-a-complaint)

Fax [REDACTED]

Text: 'call back' to [REDACTED]

Write to: Local Government Ombudsman, PO Box 4771, Coventry CV4 0EH

Yours sincerely,

Nicholas Holgate  
**Town Clerk**