

Stage 3
11th February 2016

Mr Daffarn 134 Grenfell Tower

Present:

Paula Fance (PF)– Council nominated Board Member and Chair
Councillor Condon-Simmonds (MCS) - Council nominated Board Member
Kush Kanodia (KK)– Resident Board Member
Anne Duru (AD) - Resident Board Member
Yvonne Birch (YB) – Executive Director
Janet Seward (JS) – Policy & Improvement Manager and minute taker

Edward Daffarn – Complainant

PM – Peter Maddison – joined the panel at the end of the session.

Introduction

YB summarised the format that the panel would take.

Mr Daffarn arrived. PF invited him speak for 10 minutes and said that this would be followed by an opportunity for the panel to ask him questions or discuss points that had arisen.

Mr Daffarn said that he had not come with a presentation because he didn't feel that he needed to justify himself. He considered that all the documents were in the pack which had been circulated to all members of the panel and Mr Daffarn. He felt however that the summary accompanying the documents was slanted in the TMO's favour to justify why he had been sent three solicitor's letters. He said that he cooperated with the TMO so that there was no need to send solicitor's letters. He said that he was really cooperative and that the TMO hadn't fulfilled the one stipulation that he has asked, which was for a meeting with Claire Williams (TMO Project Manager). He said that the letters must have cost a fortune and cost him upset and grief when he received them. He said that other residents had received these letters as well.

Mr Daffarn understood that the TMO chose to make the residents who wanted the HIU in the kitchen wait until the end of the contract. He said that he went on holiday for four weeks. He contacted the TMO to advise them of this. Two weeks before his holiday, Linda Prentice (Resident Liaison Officer) and another representative from the contractor visited him. Mr Daffarn said that he would agree a start date for when he got back to the UK. He however, asked that the pipes be set into the floor. The contractor's representative said that only Claire Williams could advise him if that was possible. Claire Williams never visited him about the matter.

On 1st December, Linda Prentice and the contractor visited to say that works would start the next day. Mr Daffarn said that the works could not start because the issue of the pipes had not been agreed. Linda Prentice and the contractor left but Mr Daffarn did not consider that the conversation had been unamicable. They left at about 1.00pm and by 3.45pm the caretaker had hand delivered a solicitor's letter to say that works would start at 8.00am the next day. At that time of day, he couldn't get legal aid.

Mr Daffarn said that he woke at 5.00am the next morning sweating. No one turned-up at 8.00am and no one told him that the appointment was cancelled. He said that his stage 1 complaint (email from Peter Maddison 02.12.15) was answered with another threat of legal action. He felt that this was not the object of the complaints process. He said that the whole issue made him emotional because of the abuse and that people shouldn't be treated like this. Mr Daffarn said that, later in the day, a note was put through his door. Rydon didn't know that he had been served with a solicitor's letter. He said that he shouldn't have this aggro with a landlord and that they shouldn't bully people.

Questions & discussion with Mr Daffarn

The Chair then said that we should move to asking questions:

MCS referred to the letter of 29.10.15 from Claire Williams which required a form to be signed and returned. Mr Daffarn said that the letter was just another form of bullying.

PF said that Mr Daffarn was not answering the question.

Mr D said that Claire Williams hand delivered the letter on 29th October and he left the UK on 22nd October and returned on 24th November. Mr Daffarn said that he did not realise that the letter directly related to the works but he wouldn't have signed it anyway because a meeting had not been arranged with him and Claire Williams.

KK asked how Mr Daffarn would like the matter resolved.

Mr Daffarn said that he would like a big apology from all those who played a part in it. He said again that he was a resident and didn't want to be bullied.

PF reminded him that the landlord has a legal obligation to ensure the works are done and that Mr Daffarn frustrated that.

Mr Daffarn replied that it (the panel) was a joke and a waste of time.

AD said that it was important that Mr Daffarn takes his time to discuss the issues.

Mr Daffarn said again that he was wasting his time.

AD asked him if the email he sent on 02.12.15 was because of the threat of legal action. Mr Daffarn said the work was cancelled on 2nd.

AD asked Mr Daffarn who he contacted when a visit was not made to him on 2nd. Mr Daffarn said that Linda Prentice didn't know anything about the workmen and that she would contact Claire Williams. Linda Prentice left at some point and the next thing that happened was a note through his door at 2.00pm, saying that they called but that Mr Daffarn wasn't there in the morning. Mr Daffarn saw the note when he got home late afternoon.

KK questioned that Mr Daffarn said that he never denied access but contradicted that statement when he said that he wouldn't allow access if he didn't have the meeting with Claire Williams.

AD asked if this was regarded as a casual arrangement. Mr Daffarn said that it was serious enough and that they knew that they couldn't work unless the Claire Williams meeting had taken place.

AD asked why Mr Daffarn didn't make the arrangement to see Claire Williams himself. Mr Daffarn said that he left it to Linda Prentice.

KK summarised that Mr Daffarn had never had the discussion with Claire Williams and because of not having the discussion, Mr Daffarn would not let the contractors in.

Mr Daffarn asked why he was sent a solicitor's letter which scared him to death. Mr Daffarn said that he needed to clarify some issues before they could proceed. He said that the TMO had two weeks to facilitate a meeting.

MCS said that Rydon did not attend because Mr Daffarn said that he would not let them in. Mr Daffarn then emailed Claire Williams asking why they didn't come.

PF asked Mr Daffarn if access to his flat was conditional on certain works varied for him only. Mr Daffarn said that was not the case, he just wanted a conversation with Claire Williams. He wanted the pipework put in an existing chamber under the floor.

AD said that in the 2nd December email (10.56am), Mr Daffarn said that Linda Prentice didn't know anything about the works and advised him to get in touch with Claire Williams. AD asked Mr Daffarn why he left his home on 2nd if he expected the contractors. Mr Daffarn replied that he left his home because Linda Prentice didn't know that the contractors were coming. AD asked Mr Daffarn if he would clarify his loss of earnings. Mr Daffarn said that he just wanted the TMO to apologise for what they did to him. He said that he did not care about money and that no money could make the situation better. Mr Daffarn was questioned by PF again on the compensation issue and he then said that he was seeking

compensation which he would give to charity and that he wanted the TMO to take responsibility.

KK asked Mr Daffarn what sort of apology he wanted. Mr Daffarn said that he wanted an apology from Peter Maddison and Claire Williams and those who sent the solicitor's letter. PF said that it has already been explained that the landlord has certain obligations that have to be met. Mr Daffarn said that he has Councillor Blakeman's support in his case.

KK asked Mr Daffarn how he would describe his relationship with the TMO before the stage 3 complaint. Mr Daffarn said that it was awful because he lived under the TMO who are 'a dysfunctional mini Mafia who terrorise people'. He said that the TMO had managed the decline of the community. Money had recently come to Grenfell Tower but everything else had gone to a slum. There is 'no love and no one gives a monkeys'. KK then asked Mr Daffarn about his personal relationship with the TMO. Mr Daffarn said that he felt bullied and intimidated and the TMO target him and everyone else 'who sticks their neck above the parapet'.

AD then asked Mr Daffarn if he lived alone and about his health. She asked him how the letters made him feel and if he had any mental health issues. Mr Daffarn said that he would not tell her. There were no further questions and PF thanked Mr Daffarn for attending and advised him that we would respond to him in writing in ten days.

Discussion after Mr Daffarn had left

PF said that we should concentrate on the case of Mr Daffarn refusing access to the TMO.

YB said that this stage 3 is only part of a wider review. Stage 3 panels should only deal with a specific complaint case.

Peter Maddison came to the panel.

PF said that we need to establish when consultation took place and whether PM has any recollection that Mr Daffarn was taken to a show flat and saw a HIU. PF also asked if PM remembered speaking to Mr Daffarn.

PM said that there was a show flat open in December 2014 and one in January 2015. PM said that the show flats were well attended and there was detailed 121 consultations because all the flats were different. Rydons made individual visits to each home. PM confirmed that Mr Daffarn would have been visited a number of times.

PM said that Mr Daffarn would have had a lot of opportunity to see what the TMO was proposing and he met Claire Williams in July. PF asked if there would be a record of him being signed-in at the drop-in. PM said he would have signed-in but it was unlikely that the lists were readily available.

PM said that in October, the TMO wrote to say that work was commencing on 2nd December. Rydon carried out a courtesy visit on 1st December. They had an hour long conversation with Mr Daffarn. Mr Daffarn told them that he was not prepared to let them in. Rydons will provide a written statement to this effect.

KK asked PM how he would describe the relationship between the TMO and Mr Daffarn. PM said that Mr Daffarn was a frequent complainant. In public and private, he is very challenging and, as a result, PM fronts the meetings himself. KK asked that if there is a breakdown in trust, could we have an alternative strategy. PM said that we have Rydons who are our agents but Mr Daffarn insists that he speaks to someone from the TMO. KK said that he was surprised how quickly the complaint escalated including sending solicitor's letters. PM said that there was pressure on getting the work complete and any further delay would cause Mr Daffarn to have no heating or hot water. PM considered that he had been given adequate notice and had been talking with him since October. He had a month's notice of the December work. PM said that we had been flexible around his requirements and he needed to give us a signed approval form.

PF said that landlords have to be consistent and have to programme their work.

KK asked if there was a procedure for escalation in place. PM said that there is a very regimented procedure regarding gas servicing. PM said that in Mr Daffarn's case, there had been a consistent dialogue.

MCS said that the complaint was not about PM personally.

KK asked PM what he wanted from the panel. PM said that he felt that it was really important that we get access for heating and hot water and gas servicing.

AD also asked if the pipework could be put in the floor but PM said it could not because the floor would have to be dug up. His request was therefore unreasonable. We shouldn't apologise for calling him a liar when we never did.

PF agreed that the TMO's letters are just a statement of fact.

AD said that Mr Daffarn had not been honest with us.

KK said that Mr Daffarn considered the stage 1 email reply bullying. PM said that it was just a summary of the facts because works needed to be carried out.

PF said that there was no intention to frustrate him and that the work had to be done.

MCS said that he doesn't like the up-grade.

KK said that he had give a one-sided picture and that the TMO have legal responsibilities.

YB said that the Ombudsman will review how we handled the case if Mr Daffarn contacts them.

Decision

KK – UPHELD

MCS – UPHELD

AD UPHELD

PF - UPHELD.

Lessons learned

KK would like to see a procedure/process for sending out solicitor's letters.

All wanted Equalities training for panel member.

KK would like some guidance for the panel on what questions to ask but the rest of the panel felt that it depended on the nature of the complaints

JS

16.02.16