



Grenfell Tower Inquiry

Day 127

May 10, 2021

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Monday, 10 May 2021

1  
2 (10.00 am)  
3 SIR MARTIN MOORE—BICK: Good morning, everyone. Welcome to  
4 today's hearing. Today we're going to hear evidence  
5 from another former member of the TMO staff.  
6 Yes, Mr Kinnier.  
7 MR KINNIER: Sir, good morning. May I call Sacha Jevans.  
8 SIR MARTIN MOORE—BICK: Thank you.  
9 MS SACHA JEVANS (affirmed)  
10 SIR MARTIN MOORE—BICK: Thank you very much. Now, sit down  
11 and make yourself comfortable.  
12 All right? Good, thank you.  
13 Yes, Mr Kinnier.  
14 MR KINNIER: Thank you, sir.  
15 Questions from COUNSEL TO THE INQUIRY  
16 MR KINNIER: First of all, would you mind confirming your  
17 name for the record.  
18 A. Yes, Sacha Jevans.  
19 Q. Good morning, Ms Jevans.  
20 First of all, thank you very much for attending to  
21 give evidence today, it's much appreciated.  
22 If during the course of my questioning you don't  
23 understand the question or it's unclear, please don't  
24 hesitate to say so, and I will either repeat the  
25 question or rephrase it.

1

1 Also, if at any time during examination you require  
2 a break, please don't hesitate to say so.  
3 Now, you have prepared a number of statements for  
4 the Inquiry, but the one I'd like you to look at today  
5 is that dated 8 February 2019, and can be found at  
6 {TMO00000893}.  
7 SIR MARTIN MOORE—BICK: Mr Kinnier, I'm sorry to interrupt  
8 you at such an early stage, but I have to say that my  
9 scrolling transcript is not scrolling. I don't think my  
10 colleagues' are either. I don't know whether others in  
11 the room ...?  
12 MR KINNIER: Mine is.  
13 SIR MARTIN MOORE—BICK: Yours is working.  
14 I don't know how long this might take to sort out.  
15 (Pause)  
16 I think we all feel that we can manage without it  
17 for the time being, but obviously we would like to have  
18 it sorted out as soon as you can.  
19 MR KINNIER: Thank you, sir.  
20 SIR MARTIN MOORE—BICK: I'm sorry to break into your  
21 questions like that.  
22 MR KINNIER: No, thank you.  
23 First of all, Ms Jevans, have you read that  
24 statement recently?  
25 A. Yes, I have.

2

1 Q. Can you confirm that its contents are true?  
2 A. Yes, I can.  
3 Q. Have you discussed your statement or evidence with  
4 anyone before coming here today?  
5 A. No, I haven't.  
6 Q. For the avoidance of doubt, all the exhibits to that  
7 statement are taken into the record.  
8 Now, the first topics I'd like to discuss with you  
9 today are your qualifications and training.  
10 Now, at paragraph 6 of your witness statement  
11 {TMO00000893/1}, which can be found there on the screen,  
12 you say that you have worked in housing management for  
13 25 years following your degree, which was in housing  
14 management.  
15 Now, before joining the TMO, did you receive any  
16 particular training in relation to fire safety at all?  
17 A. No, I didn't, no.  
18 Q. Anything specific in relation to fire safety in  
19 high—rise buildings, can you remember?  
20 A. No.  
21 Q. Did you receive any training about cladding on high—rise  
22 buildings and the risks that flow from that?  
23 A. No.  
24 Q. Were you aware of the risks of applying cladding to  
25 high—rise buildings?

3

1 A. No, not the technical aspects, no.  
2 Q. Before joining the TMO, did you have any training on  
3 health and safety risk management at all?  
4 A. From my recollection, I had probably some high—level  
5 strategic sort of training in health and safety, but  
6 nothing ever specific on fire safety training.  
7 Q. And after you had joined the TMO, did you have any,  
8 first of all, health and safety risk management  
9 training?  
10 A. I recall one set of training which was delivered after  
11 we had a consultant that got — that did a review of our  
12 health and safety arrangements, Matt Hodgson, and we had  
13 some training then, and that was very much about  
14 director—level training on your roles and  
15 responsibilities on the broadest sense of health and  
16 safety, from my recollection.  
17 Q. Can I take it from that that it didn't cover the  
18 specifics of fire safety or fire safety management?  
19 A. Not from my recollection, no.  
20 Q. Now, just picking up your reference there to Mr Hodgson,  
21 if we just look, for the sake of completeness, at  
22 paragraph 77 of your witness statement, which is at  
23 page 15 {TMO00000893/15}, the final sentence:  
24 "I can recall receiving training on matters such as  
25 safety leadership from an external consultant called

4

1 Matt Hodgson."

2 Can you remember now when that training took place?

3 A. I can't say exactly but I think it could have been

4 around 2013.

5 Q. Did it come after the report he prepared for the TMO?

6 A. Yes, it did, yeah.

7 Q. Apart from the training that flowed from Mr Hodgson's

8 report, did you receive any other health and safety

9 training?

10 A. No, not that I'm aware of, not at the TMO, no.

11 Q. Now, the second matter I'd like to discuss with you

12 today is your role and responsibilities whilst at the

13 TMO.

14 Now, you state that directorial responsibility for

15 health and safety lay initially with Anthony Parkes and

16 then Barbara Matthews when she succeeded him. Can you

17 help us with what aspects of your job required health

18 and safety oversight?

19 A. Yes. I think — I mean, I had an operations role, so

20 that was quite generic, and I had a broad area of

21 responsibility across a number of teams at the TMO, and

22 so my responsibility was to make sure that those

23 operational teams understood their health and safety

24 responsibilities, and also the contractors that we

25 worked with, that they absolutely complied with

5

1 legislation on behalf of the TMO as well as our

2 consultants. So it was a sort of overview, broad

3 overview role.

4 Q. Thank you, Ms Jevans.

5 Now, can we look at the TMO's health and safety

6 policy from February 2016, which can be found at

7 {TMO10024402}.

8 If we look at paragraph 2.9 on page 3

9 {TMO10024402/3}, we see there 2.9 provides for the

10 responsibility of the operations directorate, and it

11 says:

12 "■ resident safety in particular in the areas of

13 fire safety, gas safety, electrical safety, Legionella

14 prevention and water quality and lift safety;

15 "■ taking a joint role with the Health & Safety Team

16 in relation to certain aspects of H&S management such as

17 managing asbestos risk and coordinating fire risk

18 assessment actions;

19 "■ coordinating property site visits and

20 inspections, tours and audits through the on site

21 Neighbourhood staff and their managers;

22 "■ procuring the appropriate contracts in order to

23 establish an effective and compliant planned

24 preventative maintenance programme for all plant and

25 equipment across the TMO portfolio;

6

1 "■ establishing appropriate reporting tools and

2 statistics in order to demonstrate compliance as above;

3 "■ monitoring the health and safety performance of

4 the consultants and contractors under their control;

5 "■ ensuring senior managers attend the TMO's Health

6 & Safety Committee where health and safety compliance

7 across the company is reported discussed and monitored."

8 Now, that list set out at 2.9 would suggest

9 a significant operational involvement in health and

10 safety matters; would you agree with that?

11 A. Yes, I would.

12 Q. And in particular regarding resident fire safety?

13 A. I think — yes, certainly in terms of the operational

14 aspects and the delivery of the work by contractors and

15 the actions that come out of the fire risk assessments

16 was the responsibility of the operations directorate.

17 Q. And that broad and significant oversight would require

18 significant competent management from the operational

19 side; would you agree?

20 A. Yes.

21 Q. And significant competent oversight from you in

22 particular?

23 A. Yes.

24 Q. Now, could we go back to your witness statement,

25 paragraph 20 {TMO0000893/4}.

7

1 At paragraph 20 there you list the four directorates

2 that reported to you. Starting with the top,

3 neighbourhood management, that was led by Teresa Brown;

4 is that right?

5 A. Yes, that's right.

6 Q. Secondly, the customer service centre, that was led by

7 Olivia Hutchison who reported to Teresa Brown; is that

8 correct?

9 A. Yes, correct.

10 Q. Thirdly, supported housing, which was led by

11 Hash Chamchoun; is that right?

12 A. Yes, that's right.

13 Q. And finally asset management and regeneration, led by —

14 you can't remember the first interim position, but then

15 later by Simon Throp, then Mark Anderson, and finally by

16 Peter Maddison; is that right?

17 A. Yes, that's correct.

18 Q. In terms of line management, is it right that you were

19 the direct line manager for Teresa Brown and

20 Mark Anderson, who was then succeeded by Peter Maddison?

21 A. Yes, that's correct.

22 Q. Can you help us with responsive repairs. Who within the

23 TMO had operational responsibility for responsive

24 repairs?

25 A. The operational responsibility for Repairs Direct, which

8

1 was a separate company set up, was — there were  
 2 a number of different directors, but latterly  
 3 Graham Webb.  
 4 Q. Now, is it right that the managing director of  
 5 Repairs Direct, the TMO's subsidiary, reported to you?  
 6 A. I think the way that we structured the organisation was  
 7 that he had a sort of dotted line management to myself,  
 8 but actually the responsibility was to the  
 9 Repairs Direct board, and on the Repairs Direct board  
 10 sat a number of directors, myself, Barbara Matthews,  
 11 Graham Webb himself, an independent member and  
 12 a resident member. So it was a board collective  
 13 responsibility to oversee Repairs Direct as a company.  
 14 Q. And you sat as a director on that board from 2013  
 15 onwards; is that right?  
 16 A. That's right, yes.  
 17 Q. Thank you.  
 18 Now, as the executive director responsible for  
 19 neighbourhood management, what responsibility did you  
 20 hold for the fire safety aspects of neighbourhood  
 21 management?  
 22 A. I would say on the neighbourhood management I had  
 23 overall responsibility through Teresa Brown around the  
 24 aspects of the estate services assistants, I think they  
 25 were a key part of fire safety, and also the housing

9

1 management and the housing officers — the teams within  
 2 the housing management directorate around that sort of  
 3 support and tenancy management function.  
 4 Q. Thank you.  
 5 Were you the director responsible for meeting the  
 6 needs and safety of vulnerable residents, whether under  
 7 the supported housing scheme run by Hash Chamchoun or  
 8 under general housing led by Teresa Brown?  
 9 A. Overall they sat within my responsibility, yes.  
 10 Q. As the executive director responsible for assets and  
 11 regeneration, did you have responsibility for ensuring  
 12 that those assets had appropriate fire safety measures  
 13 in place?  
 14 A. I would say yes. I had a very experienced director,  
 15 Peter Maddison, who was delegated a lot of that  
 16 responsibility, but overall, yes.  
 17 Q. Thank you.  
 18 Did you have budgetary responsibility for ensuring  
 19 that assets had appropriate and effective fire safety  
 20 measures in place?  
 21 A. We had budgets that were set by the council, they were  
 22 delegated to the TMO, and it was our responsibility to  
 23 work within those budgets. If we needed more money then  
 24 that would be a discussion back with the council. It  
 25 wasn't as such a TMO budget. It's a delegated budget

10

1 from the council.  
 2 Q. Can we just look at a practical example of a fire safety  
 3 measure, and in particular the self-closing devices on  
 4 flat entrance doors.  
 5 If a resident called the customer service centre to  
 6 report a broken self-closer, for example, a call to the  
 7 customer service centre would come under your area of  
 8 responsibility; is that right?  
 9 A. Through Teresa Brown in the housing management  
 10 directorate, yes.  
 11 Q. Now, a reactive repair to a self-closing device would  
 12 then be requested through, for example, Repairs Direct?  
 13 A. Yes, that's right.  
 14 Q. Who within the TMO would be responsible for ensuring  
 15 that the reactive repair had been carried out  
 16 satisfactorily and in good time?  
 17 A. The reactive repairs were all the responsibility of  
 18 Repairs Direct, and they had specific monitoring in  
 19 place to provide oversight on the quality checking of  
 20 all repairs. But what I would say is that that  
 21 organisation was structured to do a percentage of  
 22 checking. So it wouldn't be 100%. Most organisations  
 23 in the sector recognise that that requires resources, so  
 24 it was around 10 to 20% that we post-inspected on  
 25 repairs, and that was sort of considered the general

11

1 normal way to manage post-inspection of repairs.  
 2 Q. And at any time did the board fix a specific percentage  
 3 of repairs that had to be inspected for this sampling  
 4 exercise at 10 or 20%?  
 5 A. It was around 10 to 20%, yes. From recollection, that's  
 6 what was one of the key performance indicators.  
 7 Q. But no percentage was ever fixed by the board?  
 8 A. I think it was, I think it was around 10 to 20% from my  
 9 recollection, yes.  
 10 Q. So not a specific figure, more of a range?  
 11 A. It's a percentage of the total number of repairs  
 12 undertaken, yeah.  
 13 Q. At Repairs Direct, who had specific responsibility for  
 14 ensuring that repairs were carried out? Did it lie with  
 15 the managing director ultimately?  
 16 A. Yes, the managing director, yes.  
 17 Q. Would that mean, given your role on the board and your  
 18 executive function, that ultimately you were responsible  
 19 for ensuring that systems were in place at  
 20 Repairs Direct to ensure that repairs were carried out  
 21 satisfactorily and in good time?  
 22 A. I think I would say that the board was responsible, the  
 23 collective members of that company board, and we  
 24 received reporting information to help us with our  
 25 oversight of the performance of the company.

12

1 Q. And would the same answer be given to the question as to  
2 who was responsible for monitoring performance of the  
3 systems to ensure that repairs were carried out  
4 satisfactorily ?  
5 A. Yes, I would say so, yes.  
6 Q. Can we now turn to the TMO's health and safety policy,  
7 and particularly that dated February 2016 which we  
8 looked at earlier . That's back at {TMO10024402/1}.  
9 First of all , do you recognise this document,  
10 Ms Jevans?  
11 A. Yes, I do, yes.  
12 Q. If we can go back to paragraph 2.9 on page 3  
13 {TMO10024402/3}, the various aspects of the  
14 responsibility of the operations directorate , and we see  
15 in the second bullet point at the end, the final phrase:  
16 " ... and coordinating fire risk assessment actions."  
17 Now, if I can ask you to keep that phrase in mind,  
18 and compare and contrast the list of responsibilities in  
19 an earlier edition of the policy from December 2012.  
20 Now, that 2012 policy can be found at {TMO10031077}.  
21 There you go, you see the date on the bottom left—hand  
22 corner.  
23 If I could ask us to go to page 3 {TMO10031077/3},  
24 you see in the bottom half of the page the operations  
25 directorate's responsibilities set out at paragraph 2.8,

13

1 and you will see in the second bullet point at the end  
2 it deals only with asbestos, but the later version has  
3 the words "and co—ordinating fire risk assessments"  
4 included.  
5 Can you help us as to what the reason was for the  
6 addition of responsibility for co—ordinating fire risk  
7 assessments in the 2016 version?  
8 A. Sorry, I can't recall any discussion around that.  
9 I think what I would say is that clearly there was a lot  
10 of work done at the health and safety committee on fire  
11 risk management and the actions, and so it's possible  
12 that over time, between 2012 and 2016, we'd developed as  
13 an organisation and were really focusing on that, as you  
14 will have seen from the committee minutes and focus, and  
15 so it's possible that that was felt that it should be  
16 identified as more of a priority in the 2016 document  
17 and was missed in the 2012 document.  
18 Q. So certainly from 2016 onwards, would you agree that the  
19 operations directorate played a key role in ensuring FRA  
20 actions were implemented?  
21 A. Yeah, absolutely, yes.  
22 Q. Now, could I follow on to that topic, which is  
23 fire safety management and the implementation of FRA  
24 actions, in more detail.  
25 Now, you were responsible for ensuring that FRA

14

1 actions allocated to the operations directorate were  
2 carried out in accordance with the timescales set by the  
3 fire risk assessor; is that a fair and accurate summary?  
4 A. I think that is — that summarises — it got that —  
5 sorry. I had a broad role, so obviously I had a number  
6 of teams, but yes, through those teams we would be  
7 responsible for undertaking the completion of the FRA  
8 actions, yes.  
9 Q. If we could look at the next level down in your  
10 directorate , was Mr Maddison responsible for FRA actions  
11 allocated to assets and regeneration?  
12 A. Yes, that's right .  
13 Q. And within that department, assets and regeneration  
14 contract management would be the responsibility of  
15 Alex Bosman?  
16 A. That's right, yeah.  
17 Q. And in the A&R project department, the responsibility  
18 would lie with David Gibson; is that right?  
19 A. David Gibson's capital programme, so anything relating  
20 to FRA actions on capital works is David Gibson.  
21 Q. And were any FRA actions allocated to your housing  
22 department?  
23 A. Yes, there were.  
24 Q. Responsive repairs, who was responsible for ensuring FRA  
25 actions allocated to responsive repairs were carried

15

1 out?  
2 A. That was the managing director, Graham Webb.  
3 Q. Thank you.  
4 What processes did you have in place to ensure that  
5 FRA actions were completed satisfactorily and in good  
6 time?  
7 A. So we had a health and safety committee, a corporate  
8 health and safety committee, and at that committee we  
9 had monitoring reports that set out the numbers of  
10 outstanding FRA actions in priority and latterly in age  
11 profile . So at that committee we'd regularly review our  
12 performance and then obviously we — within the  
13 individual teams, they'd have a whole mechanism of much  
14 more detailed management reports and information that  
15 flowed through the W2 system, which was our IT system,  
16 that tracked every action that came out of an FRA into  
17 an individual team.  
18 So team level and individual level , they would have  
19 the detailed action, and then at management level, at  
20 the committee, we would have the management reporting,  
21 and so given that I had quite a broad role across  
22 a number of teams, it would be at that committee that  
23 I really had oversight of how to track these actions.  
24 We had, I believe, over 400 blocks with FRAs. That  
25 generates hundreds, at times thousands, of actions. So

16

1 it was through those mechanisms, the management  
 2 reporting.  
 3 Q. Were you consistently satisfied with the robustness of  
 4 those arrangements for tracking FRA actions?  
 5 A. I think that we were on a journey over a number of years  
 6 at the TMO, and I think that started around 2013, from  
 7 recollection, 2012/13, and I think we understood that we  
 8 needed to make improvements, and we were constantly  
 9 trying to do that, and so I had confidence in all the  
 10 teams working really hard to try and make those  
 11 improvements.  
 12 But housing management does require that continuous  
 13 effort and work, actually, and something like this, with  
 14 high volumes of actions coming into a system with large  
 15 numbers of staff, there will be points of — you know,  
 16 points where it needs improvement. So that was what we  
 17 were doing over a number of years.  
 18 Q. We will come to the detail of that as it developed from  
 19 2012 onwards, but would you accept that the fact of  
 20 an outstanding action could itself mean risk to  
 21 a particular resident whom it affected?  
 22 A. I do accept that, and I think that's why we wanted to  
 23 make sure we understood the priority of each action and  
 24 really focus on high priority that would have  
 25 a significant risk and if — yeah.

17

1 Q. So you focused on high priority —  
 2 A. I think you have to make judgements, and the focus on  
 3 a high priority is to make sure that you mitigate any  
 4 actions there.  
 5 Q. And how were high—priority actions identified? Did you,  
 6 for example, rely solely upon the advice of the fire  
 7 risk assessor or did you take your own separate view of  
 8 what constituted a high priority?  
 9 A. I think we took the advice of the fire risk assessor.  
 10 Q. In all circumstances?  
 11 A. Yes, I think so. I think we saw him as the qualified  
 12 person to make a judgement on what was a priority.  
 13 Q. Would you feel yourself sufficiently experienced or  
 14 competent to second—guess the view of the fire risk  
 15 assessor in relation to a priority?  
 16 A. Certainly not myself, I didn't have those technical  
 17 expertise, and I would be expecting to get that advice  
 18 absolutely from the fire risk assessor.  
 19 Q. Would fire safety issues, and in particular FRA actions,  
 20 be discussed at executive team meetings?  
 21 A. I think we did have conversations about the progress of  
 22 FRAs at particular ET meetings, yeah.  
 23 Q. If we can start consideration of those minutes from  
 24 April 2012, and if I could ask us to go to  
 25 {TMO00899801}. Here we see from the top an executive

18

1 team meeting on 2 April 2012. You are the second  
 2 attendee identified at the top, together with  
 3 Robert Black, Anthony Parkes and Lornette Pemberton.  
 4 Could we go to page 5 {TMO00899801/5}, in particular  
 5 item 6. That says this, and I invite you to read it:  
 6 "The notes, accident and incident reports from the  
 7 meeting of 26th January were noted. Problems with  
 8 completing action from fire risk assessments to be  
 9 resolved because of our liability if an action had not  
 10 been completed in the event of a fire. Because of the  
 11 current pressures on the Morrison contract, it was  
 12 proposed that we get someone in to package the  
 13 outstanding work, and find someone to carry out the  
 14 work, who could be the same contractor who had carried  
 15 out the fire risk assessments. Costs could be covered  
 16 by the repairs' budget. Janice Wray would monitor  
 17 progress, and Sacha Jevans would check current position  
 18 on outstanding work with Andy Marshall."  
 19 Now, it's plain from this minute, would you agree,  
 20 that the TMO faced problems with FRA actions in 2012?  
 21 A. I think this is — from my recollection, this refers to  
 22 a time with the Morrison contract.  
 23 Sorry, are these minutes 2012?  
 24 Q. Yes, 2 April 2012.  
 25 A. So we had a failing contractor, and we'd had a number of

19

1 years of failing contractors, Connaught and then  
 2 Morrison, and this led into how we came about to set up  
 3 Repairs Direct.  
 4 So a failing contractor, Morrison, was in a ten—year  
 5 contract, so to deal with that failure is quite  
 6 a complex process in terms of getting out of the  
 7 contract. It takes a number of months, and we went  
 8 through that process. So, therefore, during those  
 9 months when a contractor knows that they're coming to  
 10 the end or they won't have that ten—year commitment,  
 11 their failure rate starts to increase, and this relates  
 12 to that, almost effectively a backlog of actions from  
 13 that contract. As we came out of one and went into the  
 14 set—up of Repairs Direct, you have that period where  
 15 it's really difficult to manage, and I think this  
 16 relates to a build—up of work. And our response here is  
 17 to say that we're going to get someone in to package it  
 18 up and clear that work.  
 19 Q. So there was a backlog in April 2012 of FRAs, which you  
 20 say was attributable to issues arising under the  
 21 Morrison contract; is that a fair summary?  
 22 A. Yes, I think so, yes.  
 23 Q. Can you help us with, in brief form, what the scope of  
 24 the Morrison contract was?  
 25 A. The Morrison contract was the responsive repairs

20

1 service, so it's the same service that Repairs Direct  
2 covered. So responsive repairs and voids works.  
3 Q. So the backlog related to responsive repairs in  
4 April 2012?  
5 A. Yes.  
6 Q. Now, it's clear from this minute that in April 2012 the  
7 executive team were aware of a potential liability if  
8 an action had not been completed. Can you remember what  
9 particular liability you were most concerned about?  
10 A. I can't recall. I can go by this minute. And I think  
11 what we're saying here is it's the number of — it's the  
12 number and the need to get them all closed and completed  
13 that is the issue that we're expressing here. And  
14 I think the response in terms of mitigating that risk is  
15 that we're going to get an additional resource in to  
16 package that up and get through this backlog as quickly  
17 as possible.  
18 Q. On the back of this minute, there is no indication that  
19 the work to remedy the backlog would be carried out on  
20 a priority basis; would you accept that as a fair  
21 reading of this minute?  
22 A. I don't think that's minuted, but I think there would be  
23 an assumption that we would absolutely be trying to  
24 prioritise every single action that comes out of the  
25 fire risk assessment.

21

1 Q. An unspoken priority?  
2 A. Yes, absolutely, and I think that was understood across  
3 the organisation and Repairs Direct. We really knew  
4 that we had to work hard on this. And we're talking  
5 about high volumes in Repairs Direct, you know, nearly  
6 30,000 repairs a year, a part of that being the FRAs, so  
7 it's a constant flow of high-volume work.  
8 Q. Do you remember articulating at the time any concern  
9 that outstanding FRA actions may raise the risk to  
10 particular residents who were affected by that  
11 outstanding action?  
12 A. I can't recall specific discussions at that time.  
13 Q. Do you recall anyone raising that concern about the  
14 heightened risk potentially to residents affected by the  
15 outstanding actions?  
16 A. Not in the way you put it, but I think we were trying  
17 really hard to make sure that we closed the actions as  
18 quickly as possible.  
19 Q. Would it be fair to say that that too was an unspoken  
20 concern?  
21 A. Yes, I would say so, yeah.  
22 Q. With whom did Andy Marshall work at this time?  
23 A. Andy Marshall was — this is before Repairs Direct, so  
24 he would have reported in to myself.  
25 Q. Okay. He later became the MD of Repairs Direct; is that

22

1 right?  
2 A. That's right, yeah, yeah.  
3 Q. At this time, so April 2012, was he an employee of the  
4 TMO?  
5 A. Yes, that's right, yeah.  
6 Q. The next document I'd like to take you to is the  
7 executive team minutes dated March 2013, and they can be  
8 found at {TMO10003105}.  
9 If I could ask you to go to page 5 {TMO10003105/5}  
10 at the very bottom, we see "Performance".  
11 If we could turn over the page to the very top of  
12 page 6 {TMO10003105/6}, we see there under the heading  
13 "Health & Safety/fire risk assessments", it says this:  
14 "■ Health & safety audit was due, and fire risk  
15 assessments were a risk.  
16 "■ There was a meeting on 7 March which would be  
17 attended by Anthony Parkes, Janice Wray, and Peter  
18 Maddison with Sacha Jevans when these issues would be  
19 discussed. Peter Maddison had put John Borra in charge  
20 of any action from fire risk assessments. Part of the  
21 problem was the non-performance of the contractor, RG,  
22 in carrying out inspections. Ricki Sams had overall  
23 responsibility for the contract, and Janice Wray had  
24 been picking up any failures with them. Previously,  
25 when Mark Anderson raised performance concerns with

23

1 them, there was a shortlived improvement.  
2 "■ It was agreed that we would aim to carry out any  
3 outstanding fire risk assessment action before the  
4 audit, and then sort out accountability/ownership of the  
5 work. A way forward was to consider what action we  
6 could take under the terms of the contract."  
7 Now, this minute is 11 months or so after the  
8 previous one we've discussed.  
9 Now, the reference to the audit was the forthcoming  
10 health and safety audit to be carried out by RBKC; is  
11 that correct?  
12 A. It could be, yes, yeah, I think so.  
13 Q. And it appears, would you agree, that there was  
14 a concern on the executive team that the audit might  
15 identify outstanding FRA actions? Is that correct?  
16 A. From what this minute says. I think it's identifying  
17 that any fire risk action outstanding is a risk and we  
18 should be trying to complete them as soon as possible,  
19 and I think that was always the focus here.  
20 Q. And the apparent intention was to clear the backlog and  
21 then decide who was going to do the work; is that a fair  
22 summary from what is said there?  
23 A. Yeah, I think so, but where you see the bullet point 3,  
24 accountability/ownership, I think that is referring to  
25 the problems with RG and the debate between the

24

1 client/contractor role. So I think that's what that  
 2 refers to there.  
 3 Q. Now, the audit by RBKC is mentioned again at  
 4 an executive team meeting on 20 March 2013, so roughly  
 5 a few weeks after this. Now, the minutes are at  
 6 {TMO00900564}. You're third on the list of attendees.  
 7 If I could ask to go to page 4 {TMO00900564/4},  
 8 which concerns fire risk assessments, and under the  
 9 heading roughly halfway down the page, it says:  
 10 "A briefing was given on the meeting held with  
 11 Janice Wray on 7 March. There had been an incident  
 12 during the health and safety audit when the auditor had  
 13 visited a block without a check being made beforehand  
 14 that the fire fighting equipment was compliant. These  
 15 issues had been addressed at the meeting, and  
 16 Peter Maddison would also ensure that his team provided  
 17 better support to the health and safety team. However,  
 18 the auditors had focused on processes rather than this  
 19 incident in their report.  
 20 "A fire risk assessment audit was coming up, and  
 21 although we could show that these assessments had taken  
 22 place, there was some confusion on whether the action  
 23 had been followed up as there was no clear signing off  
 24 process. A list of 200 actions had been compiled, which  
 25 were being checked with RGE to see which ones were still

25

1 outstanding. Peter Maddison thought that the people  
 2 carrying out assessments should be able to order works  
 3 direct, which would then be entered on a system for  
 4 easier monitoring. The language being used in the  
 5 assessments also needed to be clearer.  
 6 "It was proposed that the role of the health and  
 7 safety team be reviewed at a high level when  
 8 Anthony Parkes was present. It was suggested that an  
 9 external health check would help with this process.  
 10 Another outstanding issue was asbestos management, and  
 11 safeguarding of staff/residents. Following discussion  
 12 with Anthony Parkes, someone would be approached to  
 13 carry out this review."  
 14 My first question is: it seems that there was some  
 15 concern that the auditor had been shown a block with  
 16 out-of-date firefighting equipment; is that correct?  
 17 A. Would you mind going back to the previous page?  
 18 Q. Yes, of course.  
 19 A. Sorry, I lost a bit of track, can I just read —  
 20 Q. Yes, of course.  
 21 (Pause)  
 22 A. Sorry, your question again was?  
 23 Q. The concern appeared to be that the auditor had been  
 24 shown a block which had out-of-date firefighting  
 25 equipment; is that right?

26

1 A. Yes.  
 2 Q. And that the auditor was more concerned with process in  
 3 his report; is that a fair reading of that minute?  
 4 A. Yes, for that minute, yes.  
 5 Q. We can also see that a separate fire risk assessment  
 6 audit was proposed at that stage.  
 7 Now, can you help us, did that audit take place or  
 8 not?  
 9 A. I can't recall that, I'm afraid, no, I'm sorry.  
 10 Q. The reference there to the absence of a clear  
 11 signing-off process, can you remember whether that  
 12 problem was resolved and, if so, how?  
 13 A. I think reading this minute it's referring to the  
 14 signing off process with RGE and the contractor and the  
 15 problems we were having there. I'm not sure — I'm not  
 16 clear whether that's an organisation one or  
 17 an RGE-specific comment from the minutes.  
 18 Q. Looking at the final paragraph on that page we're  
 19 looking at at the moment where there is a reference to  
 20 "the external health check", can you remember what the  
 21 substance of that proposed health check was intended to  
 22 be?  
 23 A. I'm not sure. This may have led into the commissioning  
 24 of the Matt Hodgson report, if I've got the dates  
 25 correct. Sorry, what's the date of this minute?

27

1 Q. This minute is 20 March 2013.  
 2 A. Okay, so it may have been leading into the commission of  
 3 Matt Hodgson, and I think what we're saying here as the  
 4 executive team is that if there are problems that we've  
 5 come across, let's get an independent person in to  
 6 really understand what those problems are as  
 7 an organisation so that we know what actions to put  
 8 right and get some expert — independent expert advice  
 9 on that. That's what this minute I believe is saying.  
 10 Q. Now, before we get to Mr Hodgson, let's fill in a gap  
 11 and look at the RBKC audit in 2013. The final audit  
 12 report is dated April 2013 and can be found at  
 13 {RBK00000313}.  
 14 Now, we can see from the front page that you are the  
 15 third individual on the circulation list, including also  
 16 Janice Wray, Anthony Parkes and Peter Maddison.  
 17 Why was it circulated to you four before Mr Black  
 18 and Laura Johnson?  
 19 A. I don't know. I don't know, actually. I assume the  
 20 content of it for us to review and then the final  
 21 version circulated to the chief exec and Laura Johnson.  
 22 Q. Can you remember why Mr Maddison was included on the  
 23 circulation list?  
 24 A. Well, Peter Maddison had an important role in the fire  
 25 risk actions through his responsibility as director of

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1 assets and regen, and it covered a broad area around  
 2 fire safety, so I think that would be why.  
 3 Q. Thank you.  
 4 If we can turn to page 4 {RBK00000313/4}, and  
 5 paragraph 11, we see there that RBKC gave the TMO  
 6 limited assurance, and goes on to say:  
 7 "As a result of the audit review, Internal Audit can  
 8 [only] give Limited Assurance that adequate controls and  
 9 processes are in place for Health and Safety at the  
 10 TMO."  
 11 If we can now turn back to page 3 in this document  
 12 {RBK00000313/3} at paragraph 7, it said this:  
 13 "A number of external contractors are used to carry  
 14 out safety inspections and compliance checks for the TM.  
 15 With regard to gas, electrical and fire safety, these  
 16 contractors are overseen by the Building Services Team,  
 17 Asset and Regeneration. Asbestos surveys and associated  
 18 works are overseen by the Health and Safety Team and the  
 19 Repairs Manager."  
 20 Now, your directorate was responsible for overseeing  
 21 gas, electrical and fire safety external contractors  
 22 that carried out those checks for the TMO; is that  
 23 right?  
 24 A. Through Peter Maddison's contract management team, yes.  
 25 Q. For which you were ultimately responsible?

29

1 A. Yeah.  
 2 Q. If we could look over the page at paragraphs 9 and 10  
 3 {RBK00000313/4}, it says this:  
 4 "9. Areas were identified where controls can be  
 5 improved. Three high priority recommendations were made  
 6 as follows:  
 7 " ■ The gas inspection records on the Keystone Asset  
 8 Management System should be up to date and regularly  
 9 reviewed by management to ensure it reflects the most  
 10 current status for TMO properties;  
 11 " ■ The electrical inspection records on the Keystone  
 12 System should be up to date and accurately reflect the  
 13 inspections carried out by the electrical contractor;  
 14 and  
 15 " ■ All portable fire fighting equipment should be  
 16 regularly inspected by the appointed contractor and any  
 17 faulty equipment identified replaced on a prompt basis.  
 18 "10. Five medium priority recommendations were also  
 19 made as follows:  
 20 " ■ All high priority remedial work identified as  
 21 part of the annual health and safety inspection checks  
 22 should be followed up by the Health and Safety Team to  
 23 ensure it is undertaken on a prompt basis.  
 24 " ■ The service agreement with Gas Advisory Service  
 25 should be reviewed and terminated if it is no longer

30

1 required ..."  
 2 And if we go to the final, fifth one:  
 3 " ■ Appropriate performance indicators relating to  
 4 health and safety inspections should be developed by  
 5 management."  
 6 Now, is it right to say that those recommendations,  
 7 both high and medium priority ones, were primarily for  
 8 assets and regeneration to consider?  
 9 A. Yes, in — yes, it is, yeah. I was looking for  
 10 responsive repairs, but no, they are mostly the areas  
 11 covered by the contract management team.  
 12 Q. Thank you.  
 13 Now, the final medium priority recommendation was  
 14 for appropriate performance indicators to be developed.  
 15 Was that done?  
 16 A. Yes, yes, it was. We had quite a detailed suite of  
 17 KPIs, and they were produced on a monthly basis, and  
 18 they covered the whole organisation, and they had  
 19 specific KPIs in the contract management team. So it  
 20 was really important that that's where we measured our  
 21 performance against gas, electrical, fire safety, lifts,  
 22 for example, and most of the M&E contracts covered in  
 23 the contract management team.  
 24 Q. Now, you said in the answer there, "We had quite  
 25 a detailed suite of KPIs"; did you or the health and

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1 safety team consider KPIs to measure, for example,  
 2 fire safety or fire risk assessment completions at this  
 3 point?  
 4 A. I think that was being measured through the health and  
 5 safety committee. So the suite of KPIs that I've just  
 6 referred to was a monthly monitoring that went through  
 7 senior management team, operations committee and up to  
 8 executive team, and that covered all of our services  
 9 across the TMO, including the contract management  
 10 services. I think the fire safety aspects were measured  
 11 in more detail through the health and safety committee,  
 12 and that's where we developed the monitoring on the  
 13 actions, how many outstanding, how many partially  
 14 completed and how many due.  
 15 Q. Now, bearing that in mind, can we now look at what is  
 16 said about performance indicators at paragraphs 9.3 and  
 17 9.4, which can be found at page 21 within this document  
 18 {RBK00000313/21}. 9.3 is at the top. It says there:  
 19 "9.3 Audit noted that only a limited number of  
 20 health and safety performance indicators are reported  
 21 and there is an absence of meaningful indicators for  
 22 areas such as electrical inspections, water quality  
 23 inspections and treatment of asbestos.  
 24 "9.4 In the absence of a full range of performance  
 25 indicators for health and safety specific areas, there

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1 is a risk that management cannot monitor performance  
2 levels for these areas and take appropriate corrective  
3 action where poor or inadequate performance levels are  
4 identified."

5 It then makes provision for a recommendation, which  
6 is:

7 "Appropriate performance indicators relating to  
8 health and safety inspections should be developed by  
9 management. This ensures that inspections can be  
10 monitored and any performance issues identified for  
11 appropriate corrective action to be taken where  
12 performance does not meet expectations."

13 Then the management response is set out below:

14 "The Annual Report summarises all health & safety  
15 activity in the preceding twelve months. However, it  
16 had been acknowledged that it would be beneficial for  
17 the TMO to supplement this with meaningful health and  
18 safety key performance indicators which could be  
19 monitored regularly throughout the year. A range of  
20 such indicators have now been identified covering  
21 a range of areas including Health and Safety  
22 Inspections, Fire Risk Assessments/Reviews,  
23 Enforcement/Deficiency Notices Received, Number of  
24 Accidents, Fires, Violent Incidents, Percentage Asbestos  
25 Surveys Completed; Percentage Legionella Risk

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1 Assessments Outstanding (over 2 years old), Percentage  
2 Compliance on Maintenance of Fire Equipment (wet & dry  
3 risers, fire extinguishers, fire alarms sprinklers  
4 etc)."

5 Now, bearing in mind the detail of that response,  
6 who prepared the substance of that response?

7 A. I certainly think a vast amount of that was prepared by  
8 the health and safety team, Janice Wray, in preparation  
9 for the health and safety committee, and some elements  
10 were part of the contract management team and our  
11 broader KPI reporting mechanism that I have just  
12 referred to in terms of our suite of KPIs.

13 Q. Did you yourself contribute to that management response?

14 A. I can't recall specifically, I'm afraid.

15 Q. Were you aware at this time that KPIs had been  
16 identified and recommended for health and safety  
17 inspections?

18 A. Yes, I think so, and actually I was really keen to make  
19 sure the organisation had KPIs across all of the teams,  
20 and specifically here, and I think the executive team  
21 were really concerned when they got this limited  
22 assurance report, and I certainly was, and I think there  
23 was a lot of work that went into trying to develop KPIs.  
24 And I would say that it wasn't something you can just do  
25 overnight, you know, you can't — first of all,

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1 particularly in the contract management team, there was  
2 an awful lot of work that we had to do on developing the  
3 Keystone database first before you can generate the data  
4 that comes out it to then generate the management  
5 reports to make sure that you're on top of things. So  
6 this is a process, and we had a lot of work to do with  
7 Keystone, which was the asset management database.

8 So this management response did reflect how  
9 concerned we were and what we needed to do, but it was  
10 a significant piece of work, and I think Mr Maddison and  
11 his team took some time to work their way through that.

12 Q. Bearing in mind the detail of that answer, were you  
13 aware that a suite of performance indicators which  
14 included fire safety were not introduced by the TMO  
15 until January 2016, so some three years after the date  
16 of this audit?

17 A. I can't recall the specific date, but there were some  
18 elements of this that were being reported sooner than  
19 that, I believe, from recollection, and, as I said, I do  
20 think it was a journey. It was difficult.

21 We had contractors that were underperforming that we  
22 needed to re—procure. Now, that process, when you try  
23 to get rid of an underperforming contractor, that can  
24 take six months, then you need to go into procurement  
25 which takes six months, and then you need to mobilise

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1 a new contract. So that —

2 Q. Ms Jevans, I'm sorry to interrupt, but what we have here  
3 is a situation in which you have said that management,  
4 the executive team, were concerned about the limited  
5 assurance rating. You have accepted that the existence  
6 of an outstanding FRA action raises a risk for the  
7 individual resident who is affected by that outstanding  
8 action. Three years was far too long in order to ensure  
9 that fire safety formed part of the KPIs, wasn't it?

10 A. I don't think that we weren't reporting during that  
11 three years. I think there were elements that we were  
12 reporting and we were building up to it, and we were all  
13 concerned and that's what we were working towards,  
14 trying to get the systems in place to make sure we  
15 managed that. And where we identified high risk, we  
16 were trying to put in place interim mitigating measures.

17 Q. Well, we'll come on to those measures later on and see  
18 what happened during the course of this three years.

19 Can we look at the follow—up to the audit that was  
20 carried out in December 2013, and if we can go to  
21 {RBK00000320}, that's the front page. Initially  
22 circulated to Peter Maddison, Janice Wray and  
23 Alex Bosman, and then finally circulated also to you and  
24 Anthony Parkes.

25 Was it first circulated to Mr Maddison and Mr Bosman

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1 because the earlier recommendations were to be carried  
 2 out by assets and regeneration?  
 3 A. I can't recall, but I assume so.  
 4 Q. Now, if we turn over to the second page {RBK00000320/2},  
 5 we can see that matters have now progressed and that, in  
 6 paragraph 5, the council was able to provide  
 7 a satisfactory assurance, which is defined as:  
 8 "Whilst there is a basically sound system, there are  
 9 some weaknesses and/or omissions which put some of the  
 10 system/unit/process/etc objectives at risk."  
 11 Can we look at what action is stated to have taken  
 12 place with respect to the KPIs we have just looked at.  
 13 That discussion can be found at page 9 {RBK00000320/9},  
 14 in particular item 8.14 in the table, and we see there  
 15 the recommendation. Appropriate performance indicators  
 16 set out — reading left to right — agreed action:  
 17 a range of KPIs which would be monitored regularly.  
 18 Implementation date: September 2013, so some  
 19 three months previously. And the action has  
 20 implemented.  
 21 If we just look at what has been implemented, we can  
 22 see in the far right column: gas safety inspections,  
 23 water quality risk assessments, water quality inspection  
 24 and servicing, domestic electrical testing and fire  
 25 protection.

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1 If we go over the page {RBK00000320/10}, equipment  
 2 checks, and it says:  
 3 "[KPIs] are reported at both the Health and Safety  
 4 operational and committee meetings. The most recent  
 5 report that went to the October 2013 meetings was  
 6 provided as evidence of this protocol."  
 7 Now, that list of actions does not include health  
 8 and safety inspections, does it, as being subject to  
 9 a KPI?  
 10 A. When you say health and safety inspections, do you  
 11 mean —  
 12 Q. I can take you back to the April audit which identified  
 13 health and safety inspections as being recommended as  
 14 the subject of a KPI.  
 15 Now, if we turn over the page back to page 9  
 16 {RBK00000320/9}, can you see health and safety  
 17 inspections identified there as being the subject of  
 18 a KPI?  
 19 A. I think — I'm not sure about the minute here or the  
 20 drafting here, because health and safety inspection  
 21 feels like a broad KPI. I think you need to narrow that  
 22 down to either an estate services inspection, which was  
 23 undertaken by caretakers, or a fire risk assessment.  
 24 So —  
 25 Q. Let's narrow it down to —

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1 A. — I'm not quite sure that that's — yeah.  
 2 Q. Let's narrow it down to fire risk assessments and  
 3 reviews which was recommended in April 2013. That is  
 4 not identified there, is it, as an action taken?  
 5 A. So you have the fire risk assessment programme, you have  
 6 the actions generated out of it, and you have premises  
 7 risk assessments carried out by the health and safety  
 8 team, and you also have health and safety inspections by  
 9 the estate services caretaking team. So there's four  
 10 areas there that I think you could broadly group under  
 11 health and safety inspections.  
 12 Q. My question was a simple one, Ms Jevans: would you agree  
 13 that fire risk assessments reviews are not identified in  
 14 that list of actions that had been taken in response to  
 15 the April 2013 audit's recommendations?  
 16 A. Not in that list there, no. I think the one relating to  
 17 is the fire protection.  
 18 Q. Equipment?  
 19 A. Yeah.  
 20 Q. But fire risk assessment is broader than simply fire  
 21 protection equipment.  
 22 A. It is, but I don't think it's been specific in the  
 23 recommendation, you see, that's how I'm seeing this,  
 24 that because it's relating to health and safety  
 25 inspections in the narrative, in the "Recommendation"

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1 column of 8.14, that really should be more specific to  
 2 what we mean by that. So what you could say is that the  
 3 implementation and the evidence provided, there are  
 4 elements of health and safety in there. So gas safety  
 5 is an element of that, fire protection is an element of  
 6 that. I think the recommendation would need to be more  
 7 specific.  
 8 But I recognise that fire risk assessment programme  
 9 is not listed in that implementation column.  
 10 Q. Quite, and fire risk assessment reviews were identified  
 11 specifically in the management response to the  
 12 April 2013 audit that should have been the subject of  
 13 a KPI, and it's not referred to there, is it?  
 14 Would you like to go back to the April 2013 order  
 15 which set out the management —  
 16 A. Yes, please.  
 17 Q. Let's go back to that, which can be found at  
 18 {RBK00000313/21}. I don't know whether the document  
 19 manager will allow us to have the management response on  
 20 one screen and the December audit response on another  
 21 page that we've just been looking at.  
 22 Anyway, you will see there if you read through —  
 23 A. Yeah.  
 24 Q. There we go, thank you.  
 25 A. Yeah.

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1 Q. "A range of such indicators have now been identified  
2 covering a range of areas including Health and Safety  
3 inspections ..."  
4 Now, let's just take it through one by one.  
5 Are health and safety inspections, yes or no,  
6 identified in the implemented actions on the right-hand  
7 side?  
8 A. No, they're not, but what I would say is that this area  
9 is in relation to the health and safety team  
10 specifically, not the — not necessarily the operations  
11 directorate.  
12 Q. Yes, but the response on the right-hand side is not  
13 limited to the operations directorate, it's in relation  
14 to the TMO generally.  
15 A. Yes, I understand that, yes.  
16 Q. Fire risk assessments and reviews, are they mentioned in  
17 the document on the right-hand side —  
18 A. No.  
19 Q. — yes or no?  
20 A. No.  
21 Q. Enforcement deficiency notices received, are they  
22 referred to, yes or no?  
23 A. No.  
24 Q. Fires, the number of fires, are they referred to, yes or  
25 no?

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1 A. No.  
2 Q. Percentage compliance on maintenance of fire equipment  
3 specifically, is that mentioned, or would you say it's  
4 caught by the final bullet point?  
5 A. I think that's caught by the final bullet point, yes.  
6 Q. Now, can you give the panel an explanation as to why  
7 enforcement deficiency notices were not identified as  
8 the subject of a specific KPI?  
9 A. I can't, and what I would say is that this is the area  
10 of responsibility of Anthony Parkes, at the time, who  
11 managed Janice Wray, and it was his responsibility to  
12 cover health and safety, and so this would have been his  
13 area of responsibility in terms of the management  
14 response to the audit.  
15 Q. But bearing in mind your executive responsibility and  
16 given the limited assurance rating related to a number  
17 of activities that were the subject of your directorate,  
18 wouldn't you have had a concern to ensure that the  
19 implementation of remedial action covered everything  
20 that needed to be covered?  
21 A. Yes, and I understand that, and I did take my executive  
22 role responsibly, and I was focusing on the works of the  
23 contract management team that were in my directorate,  
24 and that covers those elements in the bullet points in  
25 the implementation, and actually the bits that you're

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1 reading out around the health and safety inspections,  
2 the FRA reviews and the enforcement deficiency notices  
3 was the responsibility of Anthony Parkes, and he would  
4 have inputted into that.  
5 Q. Can we look at a report prepared by Mr Parkes following  
6 the April audit, and that's dated 25 July 2013. That  
7 can be found at {TMO00873392}.  
8 If we look at paragraphs 2.2 and 2.3:  
9 "2.2 In March/April RBKC undertook an internal audit  
10 assignment with the brief to assess and evaluate the  
11 controls in the TMO management of [health and safety].  
12 "2.3 The audit provided a Limited Assurance and  
13 Medium Risk. The main areas of risk were considered to  
14 be the delay in putting information on to Keystone Asset  
15 Management System and the management of the Contractors.  
16 The service objectives, guidance and procedures,  
17 compliance with corporate [health and safety] guidelines  
18 and routine inspections were all found to be  
19 satisfactory."  
20 Now, the issues flagged up by Mr Parkes were said to  
21 be performance issues. Would you agree with that?  
22 A. Sorry, which paragraph is that?  
23 Q. Paragraph 2.3.  
24 A. Yeah.  
25 Q. Do you agree that the issues flagged up by Mr Parkes

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1 were performance issues?  
2 A. I think what he's saying here is the information on to  
3 the Keystone asset management system and the management  
4 of contractors.  
5 Q. Performance issues?  
6 A. Well, they're all performance issues, yeah —  
7 Q. Thank you.  
8 A. — and they are all the elements that we knew about and  
9 that we were working hard to address, yes.  
10 Q. Now, let's turn over the page to paragraph 3.2  
11 {TMO00873392/2}, and if we can expand that:  
12 "A [health and safety] Consultant, Matt Hodgson, has  
13 been appointed [to] carry out a review of [health and  
14 safety] within the organisation using an industry  
15 standard HSG65 audit. This audit methodology breaks  
16 down the [health and safety] management into  
17 5 categories:  
18 "■ Policy  
19 "■ Organising  
20 "■ Planning and implementing  
21 "■ Measuring performance  
22 "■ Audit and reviewing performance  
23 "The initial report on the audit is expected by the  
24 end of July. An action plan will follow from the audit  
25 and will ensure that the TMO meets the legislative and

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1 best practice requirements and embeds [health and  
2 safety] into the culture of the organisation.  
3 "In addition Mr Hodgson will advise on the  
4 recruitment and remit of the [health and safety] officer  
5 for Repairs Direct."  
6 Now, was Mr Hodgson engaged because of the limited  
7 assurance mark given by the RBKC audit?  
8 A. Yes, I think I mentioned this earlier, I think the  
9 executive team had the limited assurance, we were really  
10 concerned, and felt it was appropriate to get  
11 an external consultant to come and really review what  
12 was the issues and help us to get an action plan to  
13 really put this right, and that's what Matt Hodgson was  
14 there to do.  
15 Q. Now, March 2013, the coroner's report into the  
16 Lakanal House fire was published. The coroner's  
17 recommendations were addressed in a report to the TMO  
18 operations committee on 2 May 2013. If we can go to  
19 that document, which is {TMO10031056}. That was, as you  
20 can see from the top, prepared by Janice Wray, entitled  
21 "Current TMO position on fire risk assessments".  
22 Do you remember seeing that report, Ms Jevans?  
23 A. It's such a long time ago, I can't recall.  
24 Q. Okay.  
25 A. Sorry, I'm sorry.

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1 Q. Don't worry.  
2 Let's look at paragraph 5.3, which is on page 3  
3 {TMO10031056/3}. I'll read it out but invite you to  
4 read it as well:  
5 "Whilst many actions have been progressed it is fair  
6 to say that a significant number of items remain  
7 outstanding and have not been progressed as swiftly as  
8 required. Therefore, all outstanding items have now  
9 been collated and presented to the relevant team for  
10 urgent completion. The requirement to give this work  
11 priority has now been reiterated to the entire  
12 organisation and completion of these it being monitored  
13 on a weekly basis and the Executive Team regularly  
14 provided with detailed breakdown on progress."  
15 5.4 says:  
16 "The need to implement a process to facilitate  
17 better monitoring of FRA actions and in particular to  
18 identify where these remain outstanding has been  
19 highlighted. Therefore, the possibility of a workflow  
20 system on the Electronic Document & Record Management  
21 System has been investigated and trialled and it is  
22 anticipated that following stakeholder training this can  
23 be implemented from late May/early June 2013. This will  
24 ensure a demonstrable audit trail is in place and should  
25 ensure that these are treated with priority."

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1 Now, were you provided with detailed breakdowns of  
2 progress?  
3 A. At this point?  
4 Q. Yes. So we're May 2013, if you can remember the  
5 position then.  
6 A. I can't remember specifically. So any detail will have  
7 gone through the health and safety committee from my  
8 recollection.  
9 Q. Can you remember — sorry to press you on this — did  
10 the executive team receive any update on action about  
11 clearing the backlog?  
12 A. I'm sure they would have done. I can't specifically  
13 recall. And what this is saying here is that we are  
14 putting in place a process to make sure that we are able  
15 to report that back to the executive team. We would —  
16 what we were working on was getting the management  
17 information in a way that we could have oversight as  
18 an executive team on the performance of this area of  
19 work, yeah, and that was challenging and that's what we  
20 had to work through, by putting in place the W2 workflow  
21 system.  
22 Q. And that's the workflow system that was put in place,  
23 W2 —  
24 A. Yes, because otherwise you've just got hundreds of  
25 actions that are very detailed. As managers, you know,

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1 in my directorate I had over 40 managers, there would be  
2 five teams that would all have actions at any point in  
3 time in the week. So the only way to manage this as you  
4 go up through the management structure is to have the  
5 right management information, but you can't get that  
6 until you've got your baseline IT system working, and  
7 that was what W2 sought to do, to provide that  
8 information.  
9 Q. Once you had that baseline information in place, how did  
10 you monitor work on clearing the backlog?  
11 A. Well, that was where that came through the health and  
12 safety committee, and we understood how many actions  
13 were partially outstanding, completed or fully  
14 completed, yeah.  
15 Q. Thank you.  
16 Now, can we look at the Hodgson report that  
17 Anthony Parkes mentioned. It's dated July 2013 and it  
18 can be found at {TMO10003124}. There we go.  
19 Now, you were interviewed by Mr Hodgson as part of  
20 this process; that's right, isn't it?  
21 A. Yes, I think so, yes.  
22 Q. If we could turn to the final paragraph on  
23 {TMO10003124/8}, it's the paragraph that starts with the  
24 words:  
25 "The governance of [health and safety] requires

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1 a serious review as the responsibility for different  
2 risk areas sit within different departments and not  
3 because the decision was made at committee but more  
4 through default. Due to the shortfall in compliance  
5 data sent up to the exec committee there is a lack of  
6 focus and leadership in making the important changes or  
7 decisions to manage risk effectively. This issue is not  
8 helped by a breakdown in communication between the  
9 [health and safety] and other departments specifically  
10 in relation to the completion of actions as raised in  
11 statutory reports. The business needs to decide who has  
12 the authority to enforce this process. [Health and  
13 safety] roles and responsibilities in job descriptions  
14 and in the [health and safety] policy do not match  
15 expectation of some directors involved in compliance  
16 management."

17 Now, would you agree that responsibility for  
18 different risk areas sitting within different  
19 departments frustrates a holistic assessment of risk  
20 affecting the business?  
21 A. I'm sorry, I'm not sure I understand your question.  
22 Q. If responsibility sits across different departments,  
23 that prevents a holistic — someone taking  
24 a comprehensive view of the nature and extent of the  
25 risks affecting a business; do you agree with that

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1 proposition?  
2 A. I think that in my whole experience of 25 years of  
3 working in housing management, it's complex. There's  
4 a number of teams and responsibility is spread across  
5 lots of different teams, and so the challenge for  
6 directors and senior management is how you get that  
7 oversight, and then that you can actually enforce or  
8 encourage your staff to be accountable for their  
9 individual role in that process. So it's a whole  
10 corporate approach that has to be co-ordinated and it  
11 creates focus and commitment, and it creates the right  
12 management structures, and I think that's what we were  
13 always seeking to do.  
14 Q. Now, it says here that the executive committee were  
15 lacking compliance data. Can you remember what was  
16 missing, or thought to be missing, I should say?  
17 A. I can't remember specifically at this time, but I think  
18 this was the start — this was the recognition of the  
19 limited assurance. Matt had identified — Matt Hodgson  
20 had identified the problems, and then we were on the  
21 action plan to make sure that any shortfalls and gaps  
22 were filled, and I think this is part of it. The  
23 specifics I can't recall from this, and what I would say  
24 is that this particular action plan was led by  
25 Anthony Parkes.

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1 Q. Now, it refers there to a breakdown in communication  
2 between health and safety and other departments. Did  
3 that accord with your view at the time?  
4 A. I think there were gaps and I think that's why we had to  
5 have that focus, and —  
6 Q. If I can stop you there.  
7 A. Yeah.  
8 Q. What were the gaps?  
9 A. I think it's the — I think it was the link between the  
10 health and safety, which were advising on policy,  
11 strategy, training, in Janice Wray's team, and creating  
12 that link into the operational teams, and also the  
13 monitoring and tracking. And I know that I had  
14 conversations with Anthony Parkes about that, and how he  
15 could support Janice Wray in making sure that the health  
16 and safety team was more connected to the operations  
17 directorate, and I was quite — I was specific about  
18 that.  
19 Q. Now, it mentions there that someone had to be  
20 responsible for enforcing the process. The first  
21 question is: did you agree with that assessment at the  
22 time?  
23 A. I think when you've got, you know, structures and teams  
24 across the organisation, at some point there needs to be  
25 some level of accountability, and I understood that at

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1 the time to be the executive director responsible for  
2 the health and safety function.  
3 Q. So not you?  
4 A. No.  
5 Q. Again, Mr Parkes is what you would say, and then later  
6 Barbara Matthews?  
7 A. Yeah.  
8 Q. Was the health and safety executive director  
9 specifically allocated authority to enforce the process,  
10 can you remember?  
11 A. I'm not sure, but I would see that as a given within  
12 their role at that level.  
13 Q. Do you remember any decision by the executive team or  
14 the TMO board fixing the health and safety executive  
15 director with that responsibility?  
16 A. I think the chief exec very clearly gave that  
17 responsibility to Anthony Parkes and later  
18 Barbara Matthews, and I think that was clear to the  
19 board and the executive team.  
20 Q. How did he make that clear?  
21 A. Well, we'd have that discussion in executive team, and  
22 it was clearly part of the portfolio and the — the  
23 portfolio of that executive director.  
24 Q. And so am I understanding your evidence correctly that  
25 responsibility for enforcement of compliance with

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1 actions going forward within the operations directorate  
 2 still lay with you though?  
 3 A. I think the actions and the operational work is what my  
 4 teams were there and had responsibility for, yes.  
 5 Q. So it wasn't solely a question of health and safety; you  
 6 too still had a role, didn't you?  
 7 A. Yes, absolutely, I think everybody in the organisation  
 8 had a role in terms of health and safety, and we  
 9 understood that and we were working hard to make that  
 10 happen.  
 11 Q. Now, if we can turn over the page {TMO10003124/9}, this  
 12 is the start of 39 recommendations, or rather 39 issues  
 13 that Mr Hodgson identified as needing redress. If we  
 14 look at the second one, which is set out on the  
 15 left—hand side, and states:  
 16 "Take action to resolve the significant volume  
 17 outstanding actions unresolved in statutory reports  
 18 especially in relation to fire risk assessments. Once  
 19 the backlog has been brought under control establish  
 20 a process to monitor and track completion of report  
 21 actions as matched against priorities identified in the  
 22 reports."  
 23 That's given a priority level 1, and a time is  
 24 given: "3 months to resolve the backlog of actions".  
 25 Now, was the backlog resolved within three months,

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1 yes or no?  
 2 A. I don't recall. I don't know what the number was and  
 3 what it was at the beginning and what it was at the end  
 4 of the three months. It's a bit hard to tell from this.  
 5 Q. Okay.  
 6 Now, if we can look at recommendation 5:  
 7 "Establish an appropriate training matrix for the  
 8 business. Ensure that this includes sessions for  
 9 [health and safety] duties of senior execs. Establish  
 10 a process for running the sessions and keeping  
 11 appropriate personnel records."  
 12 Priority: 1, and then the immediate response is  
 13 stated to be:  
 14 "1 month to establish the training matrix and  
 15 6 months to phase in the outstanding courses/sessions."  
 16 Was the training matrix set up?  
 17 A. I'm assuming so. This would have been an area of  
 18 responsibility for the director of people and  
 19 performance, Yvonne Birch, who had responsibility for  
 20 corporate training across the organisation, and she  
 21 would have included the expertise on the content from  
 22 the health and safety team. But, effectively, training  
 23 was really through Yvonne Birch, the director of people  
 24 and performance. So I'm not sure I can comment on this.  
 25 Q. Let's put it slightly differently: in your position, as

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1 an executive director, did you receive any training  
 2 following this report? I think your answer is yes.  
 3 A. Yeah, sorry, I was taking the first point about the  
 4 training matrix for the business. But, yes, in terms of  
 5 senior execs, we all went on training that Matt Hodgson  
 6 arranged which I referred to earlier, yes. Yes, we did  
 7 do that.  
 8 Q. Can we look still within this document at internal  
 9 page 32, but the URN page is {TMO10003124/33}, and this  
 10 deals specifically with the issue of fire risk  
 11 assessments, and if we could look at the third paragraph  
 12 on that page, it says:  
 13 "Keystone is not up to date with FRA reports so it  
 14 is not possible to assess how compliant the business is  
 15 with regards current FRA reports. One issue that is  
 16 known and can be measured is the volume of outstanding  
 17 FRA actions created in the reports held. The FRA report  
 18 actions get pushed out to one of three locations —  
 19 Assets and Regeneration, Neighbourhood and Repairs.  
 20 There are currently somewhere between 900–1000  
 21 outstanding FRA actions. Janice Wray has established  
 22 a spreadsheet showing departmental progress and hosts  
 23 meetings to discuss progress."  
 24 Matt Hodgson said that report actions get "pushed  
 25 out" to three locations: first of all, assets and

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1 regeneration; secondly, neighbourhood; and, finally,  
 2 repairs. Would you agree that each of those locations  
 3 is within your directorate?  
 4 A. Yes, and there was also supported housing as well that's  
 5 missing.  
 6 Q. And that was within your directorate as well?  
 7 A. Yeah.  
 8 Q. So you have responsibility for enforcing compliance with  
 9 completion of actions; is that right?  
 10 A. I had responsibility and I delegated a lot of that down  
 11 through the teams, as you'd expect, in a role of my  
 12 nature, of my size and breadth. So I had the director  
 13 of assets and regen, director of housing, and managing  
 14 director, Graham Webb, and supported housing manager,  
 15 and my expectation was that they would have  
 16 a responsibility within their teams to complete those  
 17 FRA actions.  
 18 Q. And how did you monitor compliance, given the extent of  
 19 delegation?  
 20 Taking it stage by stage, when did W2 come online so  
 21 you could use that as a monitoring tool?  
 22 A. I can't be sure, but I think it was slightly later than  
 23 2013. So we were monitoring them through the health and  
 24 safety committee. I also had my operational management  
 25 team meetings, which were the directors that I've just

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1 explained, so I would be having discussions with them.  
 2 I'd have individual one-to-one discussions with them.  
 3 There was a focus, we knew that we needed to get these  
 4 outstanding actions, so it would have been individual  
 5 discussions, my operational management team and the  
 6 health and safety committee.  
 7 Q. Am I right in thinking that up until about mid-2015, you  
 8 chaired the operations health and safety committee?  
 9 A. Yes, that's right, yeah.  
 10 Q. Did you consider that to be an effective forum in which  
 11 to monitor effective and timely completion of  
 12 outstanding FRA actions?  
 13 A. I think we had the right people at that meeting, the  
 14 right level of seniority, and there was a significant  
 15 focus on it. So, yes, I did consider that the right  
 16 structure within our organisation.  
 17 Q. Did you consider it to be effective in getting the job  
 18 done, ie reducing the backlog?  
 19 A. I think things — in a perfect world you'd have zero,  
 20 and I just think that was very challenging. And in my  
 21 experience — in my 25 years' experience in the housing  
 22 sector, this is a challenge for everyone to get that  
 23 work down, you know, and it's a constant flow of actions  
 24 that come through. And I think we did — we had a lot  
 25 of discussion about the areas that we could improve on,

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1 and I think that was important.  
 2 Q. Flowing from that, can we now go to look at minutes for  
 3 an executive team meeting from August 2013 and they're  
 4 at {TMO00899807}. If we can look at paragraph 1.4 at  
 5 the very bottom which goes over to the next page:  
 6 "Health and safety report — although there was a lot  
 7 of operational action in the report, it did not help us  
 8 with the organisational structure/management."  
 9 So flows on from the point you just made:  
 10 "Peter Maddison was concerned that the fire risk  
 11 assessments were sub-standard, and could put the  
 12 organisation at risk. There was also some concern that  
 13 high risk blocks were being classified as low risk, and  
 14 vice versa. However, the Fire Brigade had approved our  
 15 processes, but there was concern that A&R [asset and  
 16 regeneration] were being bogged down with actions which  
 17 were not addressing the situation. It was agreed to set  
 18 up a meeting with Matt Hodgson, Peter Maddison and  
 19 Janice Wray to discuss the way forward. Peter had  
 20 suggested that he take on responsibility for all areas  
 21 including asbestos and fire risk which were still with  
 22 Janice Wray, and Janice Wray would have a more strategic  
 23 role, and work with the Fire Brigade. The possibility  
 24 of Adrian Bowman transferring to A&R to be considered so  
 25 that Peter Maddison could resource this area of work.

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1 Governance would be the reorganised Health & Safety  
 2 Committee, and also the A&R health & safety group which  
 3 Sacha Jevans would review, and chair herself.  
 4 Matt Hodgson's report to reflect this structure. Any  
 5 actions from the A&R group to be referred to the Health  
 6 & Safety Committee or Executive Team."  
 7 Was it you who informed the executive team about  
 8 Peter Maddison's concerns, can you remember?  
 9 A. Sorry, what were these minutes? Of which meeting are  
 10 these?  
 11 Q. Executive team meeting, August 2013.  
 12 A. I'm sorry, I can't recall.  
 13 Q. Okay. Can you recall the detail of Mr Maddison's  
 14 concerns?  
 15 A. Yes, I can. I think that what was happening is that the  
 16 fire risk assessor was generating actions that almost  
 17 duplicated, and so it was really difficult for  
 18 Peter Maddison's team to close down these actions  
 19 effectively, and I'll give an example: the fire risk  
 20 assessor would go out and look at a flat front entrance  
 21 door, and rather than make — and then the action from  
 22 that to Peter's team would be, "Go and inspect to make  
 23 sure this is a 30-minute fire flat entrance door". And  
 24 he's the fire risk assessor and the expert and he's  
 25 looking at the door, so make that judgement there and

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1 then as the fire risk assessor/expert, don't come back  
 2 and create an action for someone in Pete's contract  
 3 management team to then go out and check the door. So  
 4 that was an example.  
 5 Then another example would be that Carl Stokes would  
 6 say that he needs to check the electrical certification  
 7 on a communal piece of plant, and so actually if he had  
 8 access directly to our Keystone data where you can view  
 9 the certification, that could just be closed off as  
 10 an action there and then.  
 11 So some of it was quite administrative, these  
 12 actions. They were very much about checking whether  
 13 certification was there. So where you see those numbers  
 14 increasing, it's relating more to administration a lot  
 15 of the time, or the way in which those actions were  
 16 organised.  
 17 So Peter Maddison was right to try to challenge  
 18 those processes, and that was part of what I explained  
 19 earlier, in our journey to try to streamline this  
 20 process.  
 21 Q. Understood.  
 22 Now, can you remember what Mr Maddison's reasons  
 23 were for saying that the FRAs themselves were  
 24 substandard, to quote him?  
 25 A. I can't recall that, no.

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1 Q. Can you remember why Mr Maddison considered that the  
2 substandard FRAs would "put the organisation at risk"?  
3 A. No, no, I can't say that, and I can only assume that he  
4 was thinking about the actions that flowed from that in  
5 terms of the numbers that it was generating, and that in  
6 itself creates a risk.  
7 Q. Did the executive team act on Peter Maddison's  
8 recommendation that he take on responsibility for all  
9 areas, including fire risk?  
10 A. No, that was — it was agreed that that would keep  
11 separate and that that would be undertaken through the  
12 health and safety team underneath Anthony Parkes.  
13 Q. And why did the executive team reach that conclusion?  
14 A. I think the chief exec particularly felt that there  
15 should be a separation between fire risk, health and  
16 safety and the operations team, and that that function  
17 should be kept separate.  
18 Q. Can we look at the document which sets out the actions  
19 from this meeting, which can be found at {TMO00900485},  
20 and item 1.4 is addressed midway down that first page.  
21 It states there, you can see it:  
22 "Health and safety report — initial report had been  
23 received from Matt Hodgson, and a meeting would be  
24 arranged with him, which would be attended by  
25 Anthony Parkes, Sacha Jevans [yourself], Janice Wray and

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1 Peter Maddison."  
2 Did the meeting happen, can you remember?  
3 A. I can't — what minutes are these, ET?  
4 Q. Yes, this is the summary of actions arising from the  
5 meeting held on 7 August.  
6 A. I'm sure it did, but I can't specifically recall it.  
7 Q. Do I take it from that you can't recall what was decided  
8 at any such meeting?  
9 A. I can't recall the meeting, I'm afraid.  
10 Q. Could we now turn to the operational health and safety  
11 committee meeting following publication of the Hodgson  
12 report, and that was on 12 September 2013, and the  
13 minutes can be found at {TMO10003604}. You're the first  
14 on the list of attendees.  
15 If we look at the introduction section, it says  
16 this:  
17 "The purpose of the meeting is to review the current  
18 Health and Safety procedures and enhance current  
19 processes; ensuring the correct members within the  
20 organisation have the appropriate management strategies  
21 and the necessary resources in place to meet  
22 compliancy."  
23 Am I safe in assuming that that review was  
24 initiated /triggered by the Hodgson report?  
25 A. Yes.

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1 Q. If we can look at paragraph 2.2, which is at the bottom  
2 of the third page of this {TMO10003604/3}:  
3 "JW [Janice Wray] explained she felt much of the  
4 [health and safety] approach was reactive and responsive  
5 rather than proactive and was in line with budgetary  
6 implications, and felt there was no assurance that  
7 agreed actions were being [met] going forward i.e. Void  
8 standards, fire stopping and felt processes need to be  
9 put in place to confirm things are effectively  
10 progressed and concluded."  
11 Would you agree with her assessment that the health  
12 and safety approach was reactive and responsive?  
13 A. I'm not sure I entirely agree with that, but I do know  
14 that this was at the point in time where we knew we  
15 needed to make improvements.  
16 Q. Did you agree with it at the time? I should have asked  
17 you a more precise question, I apologise.  
18 A. Yes, I think you can see from this minute that we needed  
19 to do work to improve things.  
20 Q. Looking at that phrase, "in line with budgetary  
21 implications", was the absence of sufficient funds  
22 an obstacle to the efficient and effective closing down  
23 of FRA actions?  
24 A. No.  
25 Q. Could you help us and the panel as to what was meant by

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1 the phrase "in line with budgetary implications" in this  
2 minute?  
3 A. Can you just go back to the previous paragraph?  
4 Q. Of course.  
5 A. Sorry.  
6 (Pause)  
7 I'm not sure I understand the minute, I'm afraid.  
8 I would say that the budget was never an issue around —  
9 it's never a blocker, it was never stopping us from  
10 completing anything to do with health and safety, save  
11 to say if there was a large capital programme,  
12 for example, that wasn't something that was planned into  
13 our budget and that was over and above what we had in  
14 our service plan or capital programme, then that would  
15 be a different matter to be approved by RBKC. But in  
16 terms of our responses to all of this reactive work that  
17 come out of fire risk assessments, budget was not the  
18 problem or issue.  
19 Q. So if it wasn't cost, can you help us as to what  
20 Janice Wray said at the time was meant by "in line with  
21 budgetary implications"?  
22 A. I can't — I don't think I understand the minute.  
23 I understand the first part about reactive and  
24 responsive rather than proactive, which I think she's  
25 referring to having a more planned approach rather than

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1 just reacting.  
 2 MR KINNIER: Now, if we can now go to a separate set of  
 3 minutes and that's for the executive team —  
 4 SIR MARTIN MOORE—BICK: Mr Kinnier, I just wonder whether  
 5 we're reaching a convenient point.  
 6 MR KINNIER: It's as good as any, sir. I can wait for the  
 7 next question after the break, sir.  
 8 SIR MARTIN MOORE—BICK: Are you sure?  
 9 MR KINNIER: I am.  
 10 SIR MARTIN MOORE—BICK: All right.  
 11 Ms Jevans, you probably know we have a break during  
 12 each half—day session, and we're going to take it now.  
 13 THE WITNESS: Okay.  
 14 SIR MARTIN MOORE—BICK: So we will break now and resume,  
 15 please, at 11.40. I have to ask you, as I have everyone  
 16 else: please don't talk to anyone else about your  
 17 evidence or anything relating to it while you're out of  
 18 the room. All right?  
 19 THE WITNESS: Okay, thank you.  
 20 SIR MARTIN MOORE—BICK: Would you like to go with the usher,  
 21 please.  
 22 (Pause)  
 23 Thank you, 11.40 then.  
 24 MR KINNIER: Thank you, sir.  
 25 (11.24 am)

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1 (A short break)  
 2 (11.42 am)  
 3 SIR MARTIN MOORE—BICK: All right, Ms Jevans, ready to carry  
 4 on?  
 5 THE WITNESS: Yeah.  
 6 SIR MARTIN MOORE—BICK: Thank you, Mr Kinnier.  
 7 MR KINNIER: Thank you, sir.  
 8 Ms Jevans, could I ask you to turn to some executive  
 9 team minutes, 18 September 2013, that can be found at  
 10 {TMO00849798/2}. Item 2, "Assets and Regeneration",  
 11 that's just to fix you in the minute.  
 12 Then if we could turn to page 6 {TMO00849798/6},  
 13 it's the second bullet point from the top which says:  
 14 "Clienting of fire risk assessments had been taken  
 15 over by A&R, which were due to be completed by  
 16 mid October."  
 17 First of all, what was meant by A&R taking over the  
 18 "clienting" of FRAs?  
 19 A. I'm not sure. I'm not sure on this point. My  
 20 understanding of A&R was always about completing the  
 21 fire risk actions, not clienting the fire risk  
 22 assessment process itself.  
 23 Q. Can you remember whether there was any transfer of  
 24 responsibility for clienting to A&R at about this time,  
 25 so we're talking September 2013?

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1 A. No, the A&R team never had responsibility for the fire  
 2 risk assessment programme, only ever the actions.  
 3 I don't know if "clienting" is the wrong word for the  
 4 minute. But certainly they never took on responsibility  
 5 for that.  
 6 SIR MARTIN MOORE—BICK: What exactly does "clienting" mean  
 7 in this context?  
 8 A. My understanding of the word "clienting" is the  
 9 oversight of a programme or a contractor and the  
 10 monitoring of that, and so I'm very clear that A&R was  
 11 never in — had the responsibility of the work with  
 12 Carl Stokes and the fire risk assessment programme, that  
 13 always sat with the health and safety team.  
 14 MR KINNIER: And particularly Janice Wray?  
 15 A. Yes.  
 16 SIR MARTIN MOORE—BICK: Thank you.  
 17 MR KINNIER: Could we move forward then to minutes of the  
 18 operational health and safety meeting on  
 19 17 January 2014, and they can be found at {TMO00840384}.  
 20 If we could look at the fourth bullet point on that  
 21 first page:  
 22 "The fire brigade haven't come back with dates for  
 23 visiting. They have said they are interested in seeing  
 24 the W2 workflow process [so that's the process we were  
 25 talking about earlier] and looking particularly at any

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1 outstanding FRA actions which relate to  
 2 compartmentation.  
 3 "Janice has been asked to talk to Michael about the  
 4 information they will be shown as they will be looking  
 5 to make sure that we are completing the actions which  
 6 means they will [be] looking at things in more details."  
 7 If we can go to the next paragraph {TMO00840384/2}:  
 8 "At the moment we are working from fire risk  
 9 assessment reports and have until June to complete all  
 10 actions. Michael suggested that the Fire Brigade be  
 11 advised of the volume of outstanding FRA actions.  
 12 However, consensus of the group was that this would  
 13 result in more scrutiny from the LFB and also possible  
 14 enforcement action so agreed that we would not disclose  
 15 this level of detail at this stage.  
 16 "JRP have reported back and have put the actions  
 17 into programmes of works for Alex's team. Michael will  
 18 look at these programmes and see how these can best be  
 19 progressed in order to meet the LFB's timescale.  
 20 Michael said it would take him about two weeks to go  
 21 through everything so he would give an update at the  
 22 next meeting."  
 23 Now, Michael, is that Michael Lyons?  
 24 A. Yes.  
 25 Q. What was his role at this time, so it's January 2014?

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1 A. Michael Lyons was recruited as a health and safety  
 2 manager to — for the operations team. So his area of  
 3 responsibility covered support to the A&R team as well  
 4 as repairs, responsive repairs.  
 5 Q. Now, we saw that Michael Lyons' suggestion about  
 6 informing the LFB about FRAs and progress, it's fair to  
 7 say that that suggestion didn't find favour; would you  
 8 agree with that?  
 9 A. I can't recall the discussion. From this minute, yes.  
 10 Q. The stated reason was that it would increase the LFB's  
 11 scrutiny of the TMO's FRA performance. That seems to be  
 12 a fair reading of the minute; would you agree?  
 13 A. Yes.  
 14 Q. And that might lead to possible enforcement action;  
 15 would you agree with that?  
 16 A. I'm not sure about that, actually.  
 17 Q. Well, it says so in the minute.  
 18 A. It says so in the minute, but I'm not sure if it would  
 19 have led to enforcement action or not. I think that  
 20 would have been a matter for Janice to advise on.  
 21 Q. Can we take it from here that you didn't correct that  
 22 minute later, so can we assume that you accepted that  
 23 observation as correct at the time, absent a correction?  
 24 A. Absent a correction, yeah.  
 25 Q. Didn't those comments tell you or indeed any other

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1 member of the executive team something about the state  
 2 of the FRA issue, as the TMO was clearly conscious that  
 3 enforcement action might be in prospect?  
 4 A. I think from this group, which met monthly, we  
 5 absolutely understood that, and we were trying to do  
 6 a number of different measures to get these actions  
 7 completed.  
 8 Q. Given that, why would you not take the transparent route  
 9 with the LFB as being the enforcing authority under the  
 10 RRO?  
 11 A. I can see how you would read it that way, and I can't  
 12 particularly recall this discussion at the time, but  
 13 what I would say is that there was an absolute focus on  
 14 trying to get the actions complete.  
 15 Q. Can we now turn to the operational health and safety  
 16 committee meeting on 12 May 2015, so that's 16 months or  
 17 thereabouts from this minute, and that can be found at  
 18 {TMO10009447}. Now, you gave your apologies there, you  
 19 see first identified.  
 20 If we look at item 1.2 under "FRA Stats", it's  
 21 recorded that:  
 22 "JW [Janice Wray] distributed the FRA Action stats  
 23 and confirmed that she had sent a breakdown to each team  
 24 of the actions allocated to them. Still a significant  
 25 number of actions outstanding [for] Contract Management

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1 and also Repairs Direct."  
 2 Then if we can go to item 5 on page 5  
 3 {TMO10009447/5}, we see there at 5.1:  
 4 "SJ [you] had previously asked for a more detailed  
 5 breakdown of high risk cases so JW had provided  
 6 a breakdown of Responsive & Contract Management  
 7 actions — definition of priority, timescales & breakdown  
 8 of categories for each team."  
 9 Now, my first question is: when did you first ask  
 10 for that detail? Would it have been about this time, so  
 11 May 2015?  
 12 A. It appears so from this minute, but I think we would  
 13 have had discussions before that time, from my  
 14 recollection.  
 15 Q. Apologies if this is a question directed to the obvious,  
 16 but why was it important to have a breakdown of  
 17 high-risk cases?  
 18 A. I think I explained this earlier, to manage such a large  
 19 number of actions it's really important to make sure you  
 20 focus on the high risk as a priority, and I think that's  
 21 what we were trying to do, to understand the categories  
 22 across hundreds of actions.  
 23 Q. Now, Barbara Matthews joined the TMO in June 2015 in  
 24 succession to Anthony Parkes; is that right?  
 25 A. Yes, that's right, yes.

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1 Q. So she then assumed responsibility for ensuring FRA  
 2 actions were closed down in accordance with the  
 3 prescribed timetable; is that right?  
 4 A. Yes, in her role as health and safety director, yes.  
 5 Q. Now, did you retain any responsibility in that regard  
 6 for actions that came within the remit of the operations  
 7 directorate?  
 8 A. In terms of all the actions that were generated to the  
 9 operations team, I had responsibility for that.  
 10 Barbara Matthews had the overall responsibility for  
 11 health and safety.  
 12 Q. Thank you.  
 13 Now, if we now turn to the TMO corporate health and  
 14 safety committee meeting minutes on 29 September 2015,  
 15 they can be found at {TMO10011359}. We see you're  
 16 present, the first one on the list of attendees.  
 17 If we can turn to item 3 at the bottom of page 2  
 18 {TMO10011359/2}, which again dealt with fire safety and  
 19 risk assessment.  
 20 If we turn over the page {TMO10011359/3} to  
 21 item 3.3, the following is minuted at item 3.3:  
 22 "Paul ..."  
 23 Who was Paul?  
 24 A. I think Paul is Paul Gevaux from Repairs Direct, who was  
 25 the interim MD.

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1 Q. Thank you, that answers my next question.  
 2 It says that:  
 3 " ... RD are going through the responsive FRA  
 4 actions. He should be able to confirm the programme and  
 5 timescale within the next couple of weeks. AB will  
 6 discuss with Paul Gevaux."  
 7 Did you retain the management function over  
 8 Paul Gevaux as the executive operations director within  
 9 the TMO?  
 10 A. I can't remember whether — I think Paul Gevaux was in  
 11 the new Repairs Direct structure — yes, he is — and so  
 12 that would have been the board structure that  
 13 I explained earlier, that had oversight of the interim  
 14 managing director.  
 15 Q. We will come on to the dotted line organogram in due  
 16 course.  
 17 A. Yeah.  
 18 Q. So it's recorded there that AB will discuss with  
 19 Paul Gevaux. Can you help us, why was Alex Bosman, who  
 20 was head of contracts management, dealing with  
 21 Repairs Direct in this regard?  
 22 A. I can't recall specifically. Maybe there was  
 23 a crossover, because before we set up Repairs Direct, or  
 24 at the beginning of Repairs Direct, Peter Maddison's  
 25 team undertook a clienting role of Repairs Direct, and

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1 so this will be in relation to that.  
 2 Q. Can we move on to 11 November 2015 to a meeting of the  
 3 executive team, and the minutes can be found at  
 4 {TMO00843593}.  
 5 Just before we come on to this, just flowing from  
 6 your last answer, can you help us as to when the  
 7 clienting role that Alex Bosman may have exercised came  
 8 to an end, can you remember?  
 9 A. I think it's when Graham Webb was recruited as managing  
 10 director of RD.  
 11 Q. Can you help us as to when that was?  
 12 A. 2015.  
 13 Q. Thank you. Apologies.  
 14 Going back to this executive team meeting on  
 15 11 November 2015, you're there, fourth one on the list  
 16 of attendees.  
 17 If we can go to item 3 at the bottom of page 2  
 18 {TMO00843593/2}, we see there the penultimate paragraph:  
 19 "Sacha [that's you] noted that she has asked  
 20 Gillian Kennedy to put together a spreadsheet detailing  
 21 all outstanding FRA actions. There is a Health & Safety  
 22 Audit in early December [2015] and Sacha and Barbara are  
 23 working together to clear the backlog of actions so we  
 24 can be compliant."  
 25 Can you remember what precisely was discussed about

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1 FRA outstanding actions at this meeting?  
 2 A. No, I'm sorry, I can't, no.  
 3 Q. What was Gillian Kennedy's role in relation to  
 4 outstanding FRA actions?  
 5 A. Gillian Kennedy was a PA, assistant. So it was  
 6 an administrative function that she would have been  
 7 undertaking for Barbara and myself.  
 8 Q. What did you and Barbara Matthews do to clear the jam  
 9 before the prospect of audit?  
 10 A. I think this continues with the general approach of  
 11 trying to identify where the backlog is, what's caused  
 12 that problem, and trying to clear it.  
 13 Q. Was the executive team forum the principal means by  
 14 which Robert Black was kept informed of the state of  
 15 progress in relation to outstanding FRA actions?  
 16 A. Yes, I would say so, yes.  
 17 Q. Do you know of any other organisational forum in which  
 18 he was kept updated?  
 19 A. There was also the risk and audit committee where health  
 20 and safety reports went to, which is part of the board  
 21 structure.  
 22 Q. Okay, thank you.  
 23 The next TMO health and safety minutes I would like  
 24 to take you to are those dated 19 January 2016, and they  
 25 can be found at {TMO10012174}. Just looking at 1.1:

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1 "Graham was welcomed to the group."  
 2 So that would be Graham Webb. The date of this is  
 3 January 2016, so it seems that Mr Webb started in  
 4 January 2016.  
 5 A. I think that was his first health and safety meeting.  
 6 I believe he was recruited at the end of 2015, but yeah.  
 7 Q. Now, from January 2016 onwards, it appears that someone  
 8 from Repairs Direct, whether it was Graham Webb or  
 9 Alan Brooks or Shannon MacInnes or indeed  
 10 Derrick Singleton, would attend the TMO health and  
 11 safety committee meeting. Why was that?  
 12 A. I can't recall exactly, but I think Barbara had reshaped  
 13 this committee, and I think she probably felt that we  
 14 needed a broader representation of some of the key areas  
 15 where some of the sort of main problems were, which is  
 16 Repairs Direct.  
 17 Q. Now, can we turn to page 4 of this minute  
 18 {TMO10012174/4} and items 3.1 and 3.2.  
 19 So 3.1 is under the subheading "W2 Workflow FRA  
 20 Actions", and it says:  
 21 "JW and BM [Janice Wray and Barbara Matthews]  
 22 highlighted the main points of the FRA summaries. In  
 23 particular, it was emphasised that significant progress  
 24 had been made with completing the backlog of outstanding  
 25 actions by Contract Management and by [Repairs Direct]."

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1 Item 3.2:  
 2 "PM asked for a copy of the detail behind this  
 3 report. PM noted that the system should be more robust  
 4 to ensure actions are escalated if they are out of time  
 5 or allocated to staff who are no longer with the  
 6 organisation. [Graham Webb] advised the process will be  
 7 reviewed to avoid outstanding historic actions."  
 8 Can you remember now what detail Peter Maddison was  
 9 after?  
 10 A. I can't remember the detail, but his point here is to  
 11 make sure that managers within the organisation are able  
 12 to understand what the problem is with their particular  
 13 staff and their teams. I think that's the issue. But  
 14 the detail, I'm sorry, I can't recall.  
 15 Q. Did you agree at the time with his view that the system  
 16 needed to be more robust to ensure escalation where  
 17 necessary and appropriate?  
 18 A. I can't recall the discussion at the time, I'm afraid.  
 19 Q. Can you remember whether there was a problem at the time  
 20 that actions would be allocated to staff who had left  
 21 the TMO?  
 22 A. I don't recall that at all.  
 23 Q. You don't recall any concerns, broader concerns, that  
 24 the system wasn't picking up allocation to departed  
 25 staff?

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1 A. I can't recall that, I'm afraid.  
 2 Q. Can you remember now what precisely was done to remedy  
 3 the deficiency identified by Mr Maddison?  
 4 A. Well, I think this was Mr Maddison's view that needed to  
 5 have more of an aged profile analysis that would give  
 6 enough early warning and detail of escalation from the  
 7 individual officers and then up to team level. So  
 8 that's what that comment is referring to, and yes,  
 9 I think it was done.  
 10 Q. Can you remember whether Graham Webb carried out his  
 11 promised review?  
 12 A. Yes, I think he did, yeah.  
 13 Q. Can you remember its essential findings now?  
 14 A. I think Graham was working to understand what had  
 15 generated some of this backlog, and I think he worked  
 16 through issues with staffing, material supply delays,  
 17 and also some process issues within the teams. I think  
 18 that was the general background to it.  
 19 Q. Thank you.  
 20 Now, can we turn to a document entitled, "Health,  
 21 Safety & Facilities — Team update" from February 2016,  
 22 and that can be found at {TMO00843644}.  
 23 If we can look at item 3 on that first page, it  
 24 says, "FRA & H&S Actions". Second sentence:  
 25 "Barbara and I have met with Sacha, Pete, Alex and

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1 Graham Webb to look at the detail of the actions being  
 2 raised and how each are to be progressed. Accepted that  
 3 there is no need to continue with these meetings but  
 4 just to identify key trends. Have now agreed an  
 5 improved procedure with RD which should enable works to  
 6 be progressed in a timely manner once backlog cleared."  
 7 Now, was the meeting held to consider the backlog of  
 8 FRA actions that had arisen about responsive repairs?  
 9 A. I can't — yes, I think so. I can't recall it  
 10 specifically.  
 11 Q. Can you help as to why you attended but Mr Maddison and  
 12 Mr Bosman did not?  
 13 A. This is because it's relating to Repairs Direct,  
 14 I think — oh, sorry, the earlier sentence is  
 15 contract — no, I can't say. From this minute it looks  
 16 like it was a focus on Repairs Direct specifically.  
 17 Q. Now, is it right that the new procedure would only be  
 18 effective once the backlog had been cleared? Was that  
 19 your view at the time?  
 20 A. Sorry, can you repeat the question?  
 21 Q. Of course, yes.  
 22 Was it your view that the new procedure that was  
 23 proposed to be put in place would only be effective once  
 24 the backlog itself had been cleared?  
 25 A. It's never good to have a backlog so that is a given

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1 that that has to be cleared. The procedure would be,  
 2 yes, operational. I think they're two separate issues,  
 3 in my mind.  
 4 Q. Now, why was it agreed that there would be no need to  
 5 continue these meetings?  
 6 A. I think we had assumed that we'd got the right procedure  
 7 and escalation and management processes in place, and so  
 8 actually staff and the MD, Graham Webb, would be able to  
 9 take responsibility for that.  
 10 Q. Can you help us as to what the substance of those  
 11 escalation procedures was?  
 12 A. That's about making sure that they escalated when items  
 13 became overdue. So it's around priority and age.  
 14 Q. Can you remember now, did the procedure achieve its  
 15 stated goal of efficient and effective closing out of  
 16 FRA actions?  
 17 A. Yes, I think it improved, yes, definitely.  
 18 Q. Now, can we move forward to an email sent by Janice Wray  
 19 on 7 June 2017, which attached papers for a health and  
 20 safety meeting which was due to take place on 13 June.  
 21 Now, the email, just for reference, is at {TMO00842211},  
 22 but what I would like to go to is something called  
 23 paper 4 which concerned FRAs which was attached to that  
 24 email, and that can be found at {TMO00842218}.  
 25 Now, what we have there is paper 4, entitled "FRAs —

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1 current progress with completion of actions", and if  
 2 I could just probably invite you just to read that so  
 3 you can familiarise yourself with it.  
 4 A. Yeah.  
 5 Q. Now, what we have here is a number of total outstanding  
 6 actions.  
 7 If we look at the second page {TMO00842218/2}, we  
 8 have the age of the outstanding actions. Now, it  
 9 appears that the age of the — or looking at these total  
 10 outstanding actions four months or older seems to be  
 11 about 250 or thereabouts.  
 12 Now, given the numbers that are summarised on this  
 13 form, would you agree that there was still scope for  
 14 very significant concern about the scale and the age of  
 15 the backlog?  
 16 A. I think it's showing an improving position on the last  
 17 month, and there are still outstanding actions that  
 18 needed to be completed.  
 19 Q. Now, can you help us as to why, certainly to the lay  
 20 eye, there appeared to be so many outstanding actions  
 21 that are more than four months old?  
 22 A. I think you would need to look at the detail behind the  
 23 specific action to answer that question, and there would  
 24 be a range of different complexities around different  
 25 activities in the different teams.

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1 Q. Can you help us as to why this form doesn't identify  
 2 high risk, medium risk, low risk priorities here?  
 3 A. From recollection, we identified that elsewhere.  
 4 Q. Surely it would have been useful to have that  
 5 information on this sheet, because it identifies the  
 6 potential risk to residents who were affected by the  
 7 relevant outstanding action; would you agree with that?  
 8 A. It could be seen — yes, I do agree, and I think that  
 9 a lot of that detail was being undertaken within the  
 10 teams in the specific area and the heads of service.  
 11 Q. But is there a prospect, though, that if the information  
 12 regarding priority isn't set out in this document, the  
 13 full consequence of failing to deal with the backlog  
 14 isn't known to decision-makers such as yourselves?  
 15 A. I think that people at the team would have been  
 16 expressing that at the meeting and the trends.  
 17 Q. You say "would have been"; did they?  
 18 A. I can't see in the minutes, but from recollection, we  
 19 had discussion around challenges that the teams were  
 20 having over particular areas, and that committee was  
 21 where we tried to understand what we could do to help  
 22 unblock those problems.  
 23 Q. Now, following on from that answer, where you've got  
 24 these outstanding FRA actions that are more than  
 25 four months old, can you set out for the panel what, if

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1 any, interim measures you put in place to address and  
 2 mitigate the risk caused by the outstanding nature of  
 3 the action?  
 4 A. I think that's hard to do that without seeing the  
 5 actions and from recollection, I'm afraid.  
 6 Q. Can you remember whether you yourself raised at this  
 7 time concern about the raised risk that would be borne  
 8 by a resident who was affected by an outstanding action?  
 9 A. I think from my perspective I was always concerned and  
 10 pushing and keen that the teams were able to resolve all  
 11 of these matters as quickly as possible, and I think  
 12 it's difficult here, without looking at the  
 13 circumstances behind the actions, to give that detail to  
 14 you.  
 15 Q. To echo a previous answer to a previous question, was  
 16 that concern essentially unspoken in these meetings?  
 17 A. Yeah, I think we were all working together to try and  
 18 work through these actions, and I think Barbara brought  
 19 an additional focus to it.  
 20 Q. Now, can we go to the minutes of the health and safety  
 21 committee that took place on 13 June 2017, so ie the one  
 22 for which this paper was prepared, and they can be found  
 23 at {TMO10017155}. Health and safety meeting,  
 24 13 June 2017. You are listed fourth down on the list of  
 25 apologies.

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1 If we could go to paragraph 3.1 on page 3  
 2 {TMO10017155/3}, under the heading of "FRA Actions":  
 3 "[Barbara Matthews] expressed concern at the volume  
 4 of actions which remain outstanding. She emphasised the  
 5 importance of completing these in a timely manner not  
 6 least because they will continue to be raised  
 7 [particularly] as the FRA reviews become more frequent."  
 8 Would it be fair to say, on the basis of what is  
 9 summarised there, that the large number of outstanding  
 10 FRA actions were continuing to cause concern in  
 11 June 2017?  
 12 A. I wasn't at that meeting, but that's what the minute  
 13 says there.  
 14 Q. Given the problems regarding the TMO's FRA arrangements  
 15 had been identified some time previously, would you  
 16 accept that the problem had still not been resolved,  
 17 certainly by 14 June 2017?  
 18 A. I think that there were multiple issues in trying to  
 19 achieve clearing the backlog. I think we made good  
 20 progress, and particularly in the six months prior to  
 21 that, and it would, in my experience, be difficult to  
 22 ever get to zero when new actions are constantly being  
 23 generated.  
 24 Q. But notwithstanding the general nature of the last part  
 25 of your answer, it is plain that Barbara Matthews was

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1 not assured that sufficient progress was being made;  
 2 that's a fair reading of what is summarised at 3.1,  
 3 isn't it?  
 4 A. Of what's summarised here, but I think Barbara was also  
 5 working very closely with myself and the teams and she  
 6 understood in some detail the actions that we were  
 7 taking, and I think this is expressing the urgency and  
 8 the need to keep up the focus, and certainly there are  
 9 a number of people at this meeting — a much wider group  
 10 of people at this meeting, and that would be important,  
 11 that they understood that executive view.  
 12 Q. Now, can you recall what Mr Black's view was in relation  
 13 to outstanding FRA actions in the six months before the  
 14 fire in 2017?  
 15 A. I think Mr Black understood that we were managing this  
 16 process. He understood the challenges and that we,  
 17 myself and Barbara, through this health and safety  
 18 committee, were trying hard to complete them and rectify  
 19 the issues.  
 20 Q. Now, I'm now going to move on to a separate issue, which  
 21 is self-closing devices on flat front entrance doors.  
 22 Now, on 12 October 2015, the LFB issued a deficiency  
 23 notice to the TMO in respect of Adair Tower.  
 24 First of all, were you aware of the fact of the  
 25 issue of that notice?

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1 A. I was aware of it in terms of discussions at the  
 2 executive team, yes.  
 3 Q. Were you aware of the particular deficiencies that had  
 4 been identified by the LFB?  
 5 A. Yeah, I had an overview of that, yes.  
 6 Q. Overview; does that mean you had read the notice?  
 7 A. I can't recall at the time because I know that  
 8 Barbara Matthews was managing this process with Janice  
 9 and the Fire Brigade, but I certainly had an executive  
 10 team overview of it.  
 11 Q. Can you remember whether your staff were involved in  
 12 remedying the deficiencies identified by the LFB in that  
 13 notice?  
 14 A. They would have been, yes.  
 15 Q. Now, a fire broke out at Adair Tower on 31 October 2015,  
 16 so 19 days after the deficiency notice had been issued.  
 17 Now, as a consequence of that fire, Janice Wray met  
 18 Rebecca Burton of the LFB on 13 November 2015.  
 19 Janice Wray emailed you and others at the TMO following  
 20 that meeting. If we could go to that email, which is at  
 21 {TMO00840415}, you can see the email was sent on  
 22 13 November at 17.52. You're last of the addressees.  
 23 She just confirms there in the opening paragraph that  
 24 she'd met Rebecca Burton.  
 25 If we can go to the penultimate paragraph on page 2

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1 of this chain {TMO00840415/2}, which starts:  
 2 "However, it seems that specifically they [the LFB]  
 3 are focusing on flat entrance doors and ventilation.  
 4 Her [Rebecca Burton's] stated preference would be to  
 5 have both staircases closed as opposed to one  
 6 un-enclosed, however, she is keen to see the reviewed  
 7 risk assessment. I asked if she needed to see action on  
 8 both of these points — if we fitted self-closers could  
 9 she accept the ventilation — and she re-iterated that  
 10 she needed to see the revised FRA. I had the impression  
 11 that if the FRA recognised the need to fit self-closers  
 12 and this was programmed swiftly (for both blocks) this  
 13 might be acceptable."  
 14 Can we look next at the email you sent on  
 15 17 November 2015, so four days afterwards, which is at  
 16 {TMO00840418}.  
 17 I'll let you have a quick read of that email to  
 18 re-familiarise yourself with it.  
 19 (Pause)  
 20 Would you like the document manager to scroll down?  
 21 A. Yes, please.  
 22 (Pause)  
 23 Yeah.  
 24 Q. Now, essentially — and correct me if this is unfair —  
 25 your view was the TMO should push back against the LFB's

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1 position based on what Carl Stokes had said in his FRA.  
 2 Would you agree with that as a fair and accurate summary  
 3 of your view in this email?  
 4 A. I think from recollection what we're trying to work out  
 5 here is the practical element of the door-closer  
 6 programme, so we're saying here about — wait and see  
 7 from the FRA advice. I can't recall it specifically.  
 8 I can only see what I've written here.  
 9 Q. Okay.  
 10 Now, in due course an enforcement notice was issued  
 11 by the LFB in respect of Adair Tower on  
 12 23 December 2015. If we could go to {TMO00840703}. Can  
 13 you remember when you first saw that enforcement notice?  
 14 A. No, I can't, I'm sorry, no.  
 15 Q. Presumably, given what you had already been told and  
 16 read and seen, you were not surprised by its content, ie  
 17 the issue with the lack of self-closers on doors; is  
 18 that right?  
 19 A. Erm —  
 20 Q. Do you want to see the further elements of the notice?  
 21 A. Yes, yes, I — yes.  
 22 Q. If we could turn over the page, and then turn over  
 23 again.  
 24 A. Yeah.  
 25 Q. So you weren't surprised?

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1 A. My understanding is that they were asking us to make  
 2 sure that we did a programme of fire door closers on  
 3 Adair Tower, that's my recollection of what happened.  
 4 Q. Now, was the issue of self-closers something which fell  
 5 within the remit of assets and regeneration?  
 6 A. No, the self-closers would have been responsive  
 7 repairs — sorry, Repairs Direct, unless it was  
 8 a specific capital programme of fire door replacement.  
 9 Q. Now, if we can now turn to the TMO health and safety  
 10 committee that met on 19 January 2016, and those minutes  
 11 can be found at {TMO10011986}. You're an attendee,  
 12 second in the left-hand column.  
 13 If we can go to page 5 {TMO10011986/5}, and item 7,  
 14 we have "Health and Safety KPIs". 7.1:  
 15 "[Janice Wray] has put together a list of proposed  
 16 KPIs which can be edited by the committee. JW asked the  
 17 committee to let her know if they have any changes  
 18 within the next two weeks."  
 19 7.2:  
 20 "It would be useful to develop a process to show  
 21 that the detection systems that are being installed have  
 22 been checked. The LFB have suggested that detection  
 23 systems and door closers need to be tested.  
 24 [Peter Maddison] and [Sacha Jevans] discussed the  
 25 difference between TMO's legal obligations and LFB

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1 aspirations. TMO will have to consider whether this  
 2 work is feasible in terms of cost and practicality. JW  
 3 to check TMO obligations in relation to this."  
 4 7.3, just for the sake of completeness:  
 5 "[Sacha Jevans] asked [Janice Wray] to transfer the  
 6 KPIs into a management report for the next Committee  
 7 meeting with items yet to be decided being left blank."  
 8 Looking back at paragraph 7.2, and in particular the  
 9 penultimate sentence, which refers to your discussion  
 10 with Peter Maddison about the difference between legal  
 11 obligations and LFB aspirations, was the thrust of that  
 12 discussion that the TMO should only do what it was  
 13 strictly legally required to do?  
 14 A. I think we were always set up to make sure we installed  
 15 and maintained fire doors and fire door closers or  
 16 fire door sets that come with that. The inspection  
 17 process is a different process completely, and what  
 18 Peter Maddison and myself were discussing here is that  
 19 the LFB had suggested an inspection process, which is  
 20 very different to maintenance and fitting of fire doors  
 21 and fire door closers. It would require a different set  
 22 of procedures and a different way of structuring our  
 23 organisation, which we currently weren't set up to do,  
 24 and that's what we were trying to work out.  
 25 If I just draw a comparison with the gas safety

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1 individual boiler checks, we had a team of three people  
 2 doing that. It was an obligation, you had to do a gas  
 3 safety boiler once every 12 months, and so you'd have  
 4 to — that process of getting access, where you take on  
 5 that (inaudible), could take up to two months, resulting  
 6 in an injunction to get access.  
 7 So we were trying to work out whether our tenancy  
 8 agreement — and whether we could structure the  
 9 organisation to deliver an inspection programme. That's  
 10 the difference here, and I think that's what we were  
 11 going out to check.  
 12 Q. Now, if we can now look at what happened at the board  
 13 meeting in March 2016, and those minutes are at  
 14 {TMO10013646}, we can see you're present at the bottom  
 15 of the page. You're there, fifth from the bottom.  
 16 If we can turn to page 2 {TMO10013646/2}, we see  
 17 item 9, "Chief Executive's Report":  
 18 "9.1 Barbara Matthews presented the  
 19 Chief Executive's report to the Board. She drew the  
 20 attention of the Board to the progress update on the  
 21 enforcement notices received in respect of Adair and  
 22 Hazelwood towers following the fire at Adair Tower.  
 23 "9.2 Jeff Zitron questioned why Enforcement Notices  
 24 had been issued given the fact that the Company had  
 25 commissioned and had valid fire risk assessments in

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1 place at the time of the fire incident. Sacha Jevans  
 2 explained that the Fire Risk Assessment that had been  
 3 even though there were no issues reported by the  
 4 consultant and the London Fire Brigade in their fire  
 5 audit before the fire incident, the occurrence of the  
 6 fire had created the opportunity to reassess the  
 7 acceptable standards which then led to the issuance of  
 8 the Enforcement Notices. It was reiterated that the key  
 9 areas of focus for the Notices were the ventilation in  
 10 the stairwells and self-closures on all flat entry  
 11 doors. Simon Brissenden commented on the qualification  
 12 of the risk assessors being used by the Company and  
 13 reiterated the need to [use] experienced consultants who  
 14 could highlight any eventualities as well in their  
 15 reviews of the properties.  
 16 "The Board agreed that the Company needed to  
 17 reconsider the frequency of the fire risk assessments  
 18 being undertaken and the installation of door closers.  
 19 Barbara Matthews [confirmed] that it was [intended] to  
 20 install door closers by the deadline and negotiate an  
 21 extension of the works required on the ventilation  
 22 issues. The Board requested that a report on the  
 23 conclusions of the review of the stock should be  
 24 presented at a future meeting covering any decisions and  
 25 recommendations in respect of the fire incident."

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1 Now, the pre-fire deficiency notice in relation to  
 2 Adair Tower was not mentioned at all in that summary you  
 3 gave to the board. Can you explain why not?  
 4 A. I can't recall the sequence of events at that time,  
 5 I'm afraid, I'm not sure.  
 6 Q. Well, the enforcement notice was issued on 12 October,  
 7 the fire happened on 31 October. Would you agree that  
 8 not putting the fact of the pre-fire deficiency notice,  
 9 before the board had the potential to mislead them  
 10 regarding the nature and duration of the LFB's concerns  
 11 about self-closers at Adair Tower?  
 12 A. I think my understanding of a deficiency notice is it's  
 13 picking up areas of concern that need to be implemented,  
 14 which is different to the enforcement notice. So it's  
 15 possible that we were working through that and were  
 16 trying to understand what to implement. But I'm afraid  
 17 I can't recall this discussion.  
 18 Q. But would you agree that not identifying the fact of the  
 19 deficiency notice and its contents had the potential to  
 20 mislead the board about the nature and duration of the  
 21 LFB's concerns about door-closers at Adair Tower?  
 22 A. I think it was an ongoing discussion, door-closers, and  
 23 a priority. So I'm not sure about mislead, but  
 24 information obviously at board level is helpful.  
 25 Q. And it was a material fact which would have been

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1 relevant to the board's considerations, wouldn't it?  
 2 A. Erm —  
 3 Q. The fact of the deficiency notice and its substance.  
 4 A. I think it would have been helpful for them to know  
 5 that, on recollection, yes.  
 6 Q. You said the occurrence of the fire had created the  
 7 opportunity to reassess the acceptable standards which  
 8 then led to the issuance of the enforcement notices. On  
 9 what basis did you say that?  
 10 A. I think what had happened is that we'd had a fire risk  
 11 assessment, the — from Carl Stokes. They'd never  
 12 picked up this issue before around ventilation, and also  
 13 the LFB hadn't picked up that in their visits. But what  
 14 I understood the LFB was saying after the fire is that  
 15 now that they had seen how smoke travelled round the  
 16 building having had a real live fire, their original  
 17 assessment wasn't correct, and that's why they wanted to  
 18 reassess it, and the enforcement notice was because  
 19 you'd have to change the original design of the  
 20 building.  
 21 Q. Doesn't that answer give the impression that you're  
 22 trying to attribute responsibility to the LFB, rather  
 23 than to yourselves?  
 24 A. No, I don't think so, I think it is a reality. It's  
 25 a situation that they hadn't picked it up, neither had

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1 our fire consultant, and once a fire had happened and  
 2 they'd seen how smoke travelled round the building, they  
 3 wanted to reassess that. I think it wasn't attributable  
 4 to anyone in particular, I think it was the reality and  
 5 the fact that now there had been a fire, and bear in  
 6 mind the block is a number of years old, that actually  
 7 needed to be changed then.  
 8 Q. But I hope I'm right in saying that the minute set out  
 9 there puts the weight of responsibility for the change  
 10 on the LFB rather than anyone else; would you agree with  
 11 that?  
 12 A. Well, I think —  
 13 Q. The so-called reassessment.  
 14 A. I think it was driven by the LFB, that they felt that  
 15 there needed to be changes to the building, following  
 16 their assessment of the fire. And, you know, the TMO  
 17 was there to make sure that we did the works on the  
 18 recommendation of either our consultant or the LFB.  
 19 Q. Now, it says there that Simon Brissenden commented on  
 20 the qualification of the risk assessors being used by  
 21 the company and reiterated the need to use experienced  
 22 consultants.  
 23 Can you remember any more detail about the comment  
 24 made by Mr Brissenden there?  
 25 A. No, I think he was asking the question in the board, and

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1 I assume Barbara Matthews would have answered that  
 2 question, or Mr Black.  
 3 Q. Did you have cause to question Mr Stokes' competency as  
 4 a result of the facts and matters arising out of the  
 5 Adair Tower fire?  
 6 A. No. No.  
 7 Q. Now, can we turn to a TMO executive team meeting that  
 8 took place on 5 October 2016, which you again attended,  
 9 and that can be found at {TMO00843861/2}. Adair Tower  
 10 is at item 3, and we can see at 3.2 it says this:  
 11 "LFB are putting pressure on us to fit door closers  
 12 on all our stock across the business. Laura Johnson has  
 13 said no to this but Sacha feels that there should be  
 14 a discussion at ET."  
 15 Insofar as you're able to answer this, why had  
 16 Laura Johnson said no?  
 17 A. I think Laura had to make a consideration on a balance  
 18 of maybe budget versus practicalities, and this is  
 19 maybe — this is an example of something that would be  
 20 outside of the agreed budget, and it would be  
 21 unforeseen, and so the TMO would need to go back to  
 22 the council and ask for more money.  
 23 Q. Now, on the basis of this, you don't appear to agree  
 24 with Laura Johnson and felt that there should be  
 25 presumably broader discussion at the executive team.

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1 Can you remember now, what were your concerns at the  
 2 time? This is October 2016.  
 3 A. I think that we were — it was quite clear from the LFB  
 4 that we should fit door—closers on all the stock and  
 5 I was keen for that to happen.  
 6 Q. Item 3.2 goes on to say this:  
 7 "The fire strategy is being updated with the  
 8 recommendation that this work is done over a five—year  
 9 period (although it is likely that the LFB will expect  
 10 a shorter period). Sacha will speak to her team about  
 11 doing some profiling on this as with 9,000 properties we  
 12 would need to know the estimated cost for this and also  
 13 what others are doing. RBKC would need to be spoken to  
 14 about this and given options."  
 15 Can you remember now, where did the five—year  
 16 timeframe come from?  
 17 A. I think that came from RBKC, if I recall.  
 18 Q. Why did they pitch for a longer timeframe when it was  
 19 known or anticipated that the LFB would want a shorter  
 20 timeframe?  
 21 A. I think that's a question for RBKC, and they had their  
 22 ways of profiling their housing revenue account and the  
 23 amount of works that they put into capital investment  
 24 for the TMO.  
 25 Q. And flowing from that and previous answers, the final

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1 sentence here which says, "RBKC would need to be spoken  
 2 to about this and given options", presumably because  
 3 extra funds would be required and it could only come  
 4 from RBKC?  
 5 A. Yes, yes, that's right.  
 6 Q. Thank you.  
 7 Now, on 17 November 2016, a deficiency notice was  
 8 issued by the LFB in relation to Grenfell following  
 9 an LFB inspection. That notice is at {TMO10017254/5}.  
 10 I'll let you familiarise yourself with what's set  
 11 out there, and when you need the page to be moved on,  
 12 please say so.  
 13 (Pause)  
 14 Yes, okay.  
 15 (Pause)  
 16 Yeah.  
 17 Q. Now, if I could ask us to go back to page 5, would you  
 18 agree that it was now crystal clear that the LFB were  
 19 concerned about the failure to maintain flat entrance  
 20 doors, particularly in relation to self—closing devices  
 21 in numerous TMO blocks?  
 22 A. I think they had identified that, yes, I agree.  
 23 Q. Would you agree that, given the deadline was set for  
 24 18 May 2017, time was of the essence in remedying the  
 25 deficiencies identified here?

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1 A. Yes.  
 2 Q. Looking at some of these items in the notice and looking  
 3 at the second one on the page we're looking at now, fire  
 4 doors not fitting into their frames, would you say that  
 5 had been an issue for Repairs Direct?  
 6 A. So if it wasn't part of the original capital replacement  
 7 programme within the defects period, then anything  
 8 thereafter in terms of a responsive repair or a repair  
 9 to a particular door, individual door, would be  
 10 Repairs Direct.  
 11 Q. A breach in the service duct, is that something for the  
 12 contracts team or someone else?  
 13 A. I'm not sure —  
 14 Q. Sorry, if you're looking at the first deficiency,  
 15 Article 11.  
 16 (Pause)  
 17 It's the final bit, the final sentence of that, the  
 18 particulars of that breach, or should I say deficiency.  
 19 A. I think that would have gone to the — to  
 20 Repairs Direct.  
 21 Q. So absence of self—closers in flats 44 and 153, which is  
 22 over the page, would that be Repairs Direct again?  
 23 A. Yes.  
 24 Q. Storage of items in common parts, would that be for  
 25 housing management rather than Repairs Direct?

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1 A. Housing management, yes.  
 2 Q. Lack of fire action notices, whose responsibility was  
 3 that?  
 4 A. That was health and safety team, Janice Wray.  
 5 Q. Can you help the panel as to whether all of those  
 6 deficiencies were remedied by 14 June 2017?  
 7 A. I expect so. I can't recall.  
 8 Q. Can you remember whether you yourself were required to  
 9 take particular action to remedy these deficiencies?  
 10 A. Not myself. I think Janice Wray would make sure that  
 11 these actions went out to the teams. I think what we  
 12 did identify is that the health and safety committee and  
 13 Janice Wray was overseeing the deficiency notice in  
 14 a separate process to the FRA actions, and I think it  
 15 was identified that we really needed a much stronger  
 16 management control over the deficiency notice actions so  
 17 that, as an executive team, we could make sure that they  
 18 were completed, the actions that came out of deficiency  
 19 notices.  
 20 Q. Bearing in mind your executive role and the fact that  
 21 you were a director of Repairs Direct as well, what did  
 22 you do to ensure that those tasks that fell to  
 23 Repairs Direct were done, and done by the prescribed  
 24 deadline of 18 May?  
 25 A. I think that was — so those actions were delegated to

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1 Graham Webb, and as a board we oversaw that, and  
2 particularly Barbara Matthews, who was on the board, had  
3 responsibility for managing Janice Wray, who managed the  
4 deficiency notices. So it was very much her  
5 responsibility as well, working with me, to make sure  
6 that anything that was overdue was escalated, and  
7 I think that is — the issue that I was referring to is  
8 that we identified we needed a much closer management  
9 control over deficiency notices, which was separate and  
10 outside of the FRA assessment process that we'd been  
11 focusing on.

12 Q. Now, we're going to move on to a separate topic now,  
13 which is maintenance of fire safety systems.

14 Could I ask you to go to paragraphs 76 and 77 of  
15 your witness statement, which is at {TMO00000893/14–15}.  
16 Now, there, in 76, you set out where responsibility lay.  
17 At 77 you say this:

18 "Elements of safety were nevertheless an important  
19 element of my job, generally as an Executive Director  
20 but also specifically in relation to the work that was  
21 undertaken within the Operations Department and by  
22 Repairs Direct. I saw my safety role as providing  
23 leadership in the Operations Directorate, putting  
24 structures in place with competent staff and to show  
25 support for safety initiatives whenever possible. I can

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1 recall receiving training on matters such as safety  
2 leadership from an external consultant called  
3 Matt Hodgson."

4 Now, to summarise this, you weren't formally  
5 responsible for health and safety at the TMO, that's  
6 plain from the evidence previously. Would you agree  
7 with that?

8 A. Yes, yeah.

9 Q. But you had the oversight responsibility for health and  
10 safety as an executive director.

11 A. Yes.

12 Q. And as the operations department and Repairs Direct  
13 carried out work to health and safety systems, you had  
14 a responsibility for that; is that right?

15 A. Yes.

16 Q. And you provided health and safety leadership by putting  
17 structures in place and showing support for health and  
18 safety initiatives; is that fair?

19 A. Yes.

20 Q. What structures are you referring to in paragraph 77 at  
21 the top of the page, "putting structures in place"?

22 A. So as an example, when we were looking at the design of  
23 Repairs Direct and how that company structure and the  
24 management structure should be devised, we specifically  
25 felt that we should have a dedicated health and safety

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1 role in Repairs Direct, so it would be — that would be  
2 an example of that.

3 Q. Did you or Yvonne Birch or indeed anyone else organise  
4 any specific training on the maintenance of fire safety  
5 systems for your staff, whether in the operations  
6 directorate or at Repairs Direct?

7 A. I had an expectation that Graham Webb was managing the  
8 training and the — of the operatives within  
9 Repairs Direct, and I believe he did have a training  
10 programme and put some focus on that, and across the  
11 organisation I know there was specific training for our  
12 estate services assistants, our caretakers in the  
13 neighbourhood team, and I know Yvonne Birch and her team  
14 implemented a corporate-wide e-learning training on  
15 health and safety. So there were a number of different  
16 aspects to it.

17 Q. So were your expectations as to the detail and quality  
18 of health and safety training satisfied?

19 A. I think it's an area that's large and I think it has to  
20 be ongoing, and I did rely on some of the expertise from  
21 the health and safety team to advise adequately on what  
22 the training needs are for the teams.

23 Q. Bearing in mind your ultimate executive responsibility,  
24 were you satisfied as to the quality and detail of the  
25 health and safety training given to your staff?

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1 A. I think the e-learning module that we put in place  
2 covered a range of the health and safety for the  
3 organisation, and I think that was adequate at the time.

4 Q. Now, can we look at the TMO's fire safety strategy and  
5 what it says particularly about the maintenance of  
6 fire safety systems.

7 The strategy itself can be found at {TMO00830598}.  
8 If we can go to paragraph 1.1 on the first page, it says  
9 this:

10 "As acknowledged in the TMO Health & Safety Policy  
11 Statement the company is fully committed to providing  
12 a safe and healthy environment for residents, employees  
13 and contractors. The area of fire safety in particular  
14 is highlighted as being of significant importance in  
15 a residential setting and as such is an area which is  
16 subject to intensive inspection, maintenance and  
17 assessment activity."

18 Now, it flows from that that it appears to be the  
19 intention that the TMO would have an "intensive  
20 maintenance regime"; is that correct? That was the  
21 intention?

22 A. Yes, from that paragraph, yes.

23 Q. Which is the fire safety strategy?

24 A. Yeah.

25 Q. Yes.

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1 Can we turn to page 3 of this document  
 2 {TMO00830598/3}. Just looking at the first substantive  
 3 bullet point at the top:  
 4 "Inspection, testing and maintenance of all  
 5 fire safety systems/plant/equipment as per the  
 6 requirements of the relevant British Standard by  
 7 competent contractors under a planned preventative  
 8 maintenance regime. In the case of emergency lighting  
 9 the maintenance contractors regular checks are  
 10 supplemented by monthly inspection and testing by the  
 11 estate staff. Records are maintained of these checks."  
 12 Now, would you agree with the general proposition  
 13 that this bullet point, the substance, identifies the  
 14 policy objective rather than the practical arrangements  
 15 by which the objective is to be achieved?  
 16 A. I'm not sure I understand the question, sorry.  
 17 Q. This sets out the objective, not the practical  
 18 arrangements to achieve that objective; would you agree  
 19 with that proposition?  
 20 A. Well, competent contractors under a planned preventative  
 21 maintenance regime is the application of the policy.  
 22 Q. Okay.  
 23 Now, would you agree, looking at it slightly  
 24 differently, that there is no description here of what  
 25 a planned preventative maintenance regime would look

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1 like? Would you agree with that?  
 2 A. Yes, I'd agree, it's not in detail, no.  
 3 Q. And would you agree that there is no comprehensive or  
 4 indeed any list of the fire safety measures that would  
 5 be subject to the preventative maintenance regime?  
 6 A. Not in this document, no.  
 7 Q. And there is no mention, for example, that the smoke  
 8 control system would require planned preventative  
 9 maintenance; would you agree with that?  
 10 A. Not in that paragraph, no, I don't know if it's  
 11 somewhere else in the document.  
 12 Q. We will develop this in due course, but there is no list  
 13 there of the relevant standards to which systems should  
 14 be maintained; would you agree with that?  
 15 A. It's not a detailed list, I think it is an overview  
 16 statement, yeah.  
 17 Q. And it doesn't identify which department or departments  
 18 would be responsible for maintaining fire safety  
 19 systems, does it?  
 20 A. Not in detail here, I think it's a strategy, so it's  
 21 meant to give an overarching approach to our  
 22 fire safety —  
 23 Q. Well, let's look at the procedure that was drafted to  
 24 supplement the policy. The first version is dated  
 25 10 February 2012, and that can be found at

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1 {TMO00870933}.  
 2 First of all, were you familiar with this document  
 3 during your time at the TMO?  
 4 A. I knew of it, but I didn't know it in detail, because  
 5 this was one of those areas that would have been managed  
 6 through Mr Maddison and his team.  
 7 Q. So you never read it?  
 8 A. Not in — no, no, I don't think I would have done.  
 9 Q. Can we turn to page 2 {TMO00870933/2}, paragraph 1.2,  
 10 and there we have a list of systems: sprinklers,  
 11 fire alarms, wet and dry risers, domestic smoke alarms,  
 12 fire extinguishers, hose reels. No mention there of  
 13 smoke control systems.  
 14 A. Not in that list, no.  
 15 Q. Can you help as to why smoke control system was not  
 16 identified there?  
 17 A. I can't help in the drafting of this document, no,  
 18 sorry.  
 19 Q. So you can't help in respect of any of the substance of  
 20 this?  
 21 A. No.  
 22 Q. So you wouldn't be able to assist why there is no detail  
 23 as to how a planned preventative maintenance regime  
 24 would be carried out in relation to communal fire doors  
 25 or flat entrance doors or door-closers?

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1 A. I can't, because this sort of level of detail in terms  
 2 of procedure would have been drafted from the expertise  
 3 of the health and safety team in conjunction with the  
 4 contract management team and any other external guidance  
 5 or resource that we needed, and it really wouldn't be  
 6 within my scope to comment on this type of level of  
 7 detail.  
 8 Q. Now, can we go back to the Hodgson review from 2013, and  
 9 in particular some of the points he made in respect of  
 10 planned maintenance.  
 11 If we could go to {TMO10003124/19}. It's the top of  
 12 the page, with the first paragraph:  
 13 "There is a policy arrangements section in the KCTMO  
 14 policy however it does not adequately detail what risks  
 15 the business is exposed to and lacks the finer detail to  
 16 explain exactly what processes (risk assessments,  
 17 British Standard checks and tests, best practice  
 18 inspections etc) should be implemented in order to fully  
 19 meet the statutory and mandatory obligations in relation  
 20 to the plant and equipment under KCTMO control across  
 21 the estate. The following issues require attention;  
 22 "There are only a handful of arrangements in the  
 23 policy, many are missing e.g. pressure vessels, working  
 24 at height, contractor management etc and many of the  
 25 fire arrangements have been bunched together and by

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1 doing so lack the detail in relation to what the planned  
 2 preventative maintenance process should look like e.g.  
 3 all fire protection systems recorded together."  
 4 Now, Mr Hodgson made that point in 2013, that there  
 5 appeared to be a lack of detail in relation to the  
 6 planned preventative programme and what it should look  
 7 like. Do you remember that conclusion of his?  
 8 A. I don't recall it. I can see it here, but I don't  
 9 recall it at the time. But what I would say is that my  
 10 expectation would have been that Anthony Parkes at the  
 11 time would have led on making sure the policies are  
 12 correct and that, following up from this report,  
 13 redrafting and the correct policies were put in place  
 14 with — in conjunction with the contract management team  
 15 and any other advice that we needed.  
 16 Q. Given that your department or sub-departments within it  
 17 would be involved in those discussions, did you make any  
 18 contribution to ensuring these deficiencies were  
 19 remedied?  
 20 A. I'm sure there was discussion in the monthly health and  
 21 safety meetings. In terms of my technical input,  
 22 I really don't have that technical background, so it  
 23 wouldn't be for me to make comment on a ventilation  
 24 system. I don't have that technical expertise.  
 25 Q. Now, can we look at the fifth paragraph on this page,

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1 which is the one at the very bottom of the screen at the  
 2 moment:  
 3 "The policy arrangements refer to 'the purpose of  
 4 this procedure is to identify the action to be taken by  
 5 the TMO following a report of a breakdown or  
 6 malfunction'. This is a reactive approach to [health  
 7 and safety] when the real purpose of effective policy  
 8 arrangements is to clearly define the planned  
 9 preventative maintenance regime that should be followed  
 10 to cover statutory and mandatory processes to keep the  
 11 TMO stock operating effectively and safely i.e. about  
 12 compliance and not breakdown."  
 13 Now, again, Mr Hodgson makes the point that TMO has  
 14 a reactive approach to maintenance. Would you agree  
 15 with that as a fair summary of his view?  
 16 A. I think that was his point at this point — sorry, that  
 17 was his remark at this point in time, and I think we  
 18 understood about planned preventative maintenance and  
 19 that was what we were working to, to pick up this gap.  
 20 That's why we did this audit, to make sure we understood  
 21 what we needed to do.  
 22 Q. Now, he recommended a full review of the property policy  
 23 arrangements. Was that full review carried out?  
 24 A. This would have been the responsibility of  
 25 Anthony Parkes on the policy.

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1 Q. Do you remember being involved in that review at all?  
 2 A. Not myself, but I would have expected that, if it was  
 3 happening, to have happened with the technical teams so  
 4 that they can input the right technical knowledge into  
 5 policy decisions.  
 6 Q. And so you won't be able to assist the panel on what, if  
 7 any, policies were changed or what, if any, new policies  
 8 were introduced?  
 9 A. No, I think that's the health and safety team,  
 10 I'm afraid, no, I couldn't.  
 11 Q. Now, can we turn to the topic of Repairs Direct and, in  
 12 particular, first of all, oversight and the managerial  
 13 role.  
 14 Just to summarise, am I correct in thinking that,  
 15 from the date of its incorporation in 2013, reactive  
 16 repairs were carried out by Repairs Direct?  
 17 A. Yes, that's right.  
 18 Q. And Repairs Direct was a wholly-owned subsidiary of the  
 19 TMO; is that correct?  
 20 A. Correct, yes.  
 21 Q. As we touched on earlier, you were a director of  
 22 Repairs Direct.  
 23 A. Yes.  
 24 Q. And you were a member of the board, along with  
 25 Barbara Matthews when she joined in 2015.

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1 A. Yes, that's right.  
 2 Q. Was Anthony Parkes a director before Barbara Matthews  
 3 joined, can you remember?  
 4 A. Yes, I believe he was, yeah.  
 5 Q. As a board member of Repairs Direct, you would have had  
 6 an oversight role into health and safety; is that right?  
 7 A. In all our roles we've got an element of health and  
 8 safety, but on the board I would have expected and did  
 9 expect Anthony Parkes and then Barbara Matthews to have  
 10 the health and safety oversight of Repairs Direct, and  
 11 that I would have the operational response, effectively.  
 12 Q. But as you said earlier, everyone in the business has  
 13 a health and safety role?  
 14 A. I think that's a given at an executive level, yeah.  
 15 Q. So you had some function in that respect?  
 16 A. Yes, I did, but I think we all had to take a focus in  
 17 different areas, you know, it's a lot of work and we  
 18 took different leads, and that's where the  
 19 responsibility sat on the —  
 20 Q. You referred to a dotted line responsibility earlier and  
 21 I said we'd take you to the document, and that document  
 22 is the TMO board members' handbook, and it can be found  
 23 at {TMO10003508/11}.  
 24 I suppose the first question is you can see the  
 25 managing director of Repairs Direct, MD, a dotted line

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1 through to executive director of operations off-centre,  
 2 and is that the dotted line to which you were referring  
 3 earlier ?  
 4 A. Yeah.  
 5 Q. Now, in your witness statement at paragraph 29  
 6 {TMO00000893/6} — we don't need to go back to it — you  
 7 say:  
 8 "Graham [Webb] was directly accountable to the  
 9 [Repairs Direct] Board however I had a dotted line  
 10 management function over him. This meant that if Graham  
 11 wanted to apply for leave or if he needed support he  
 12 could turn to me. Graham was in the same pay grade as  
 13 me to reflect the fact that Repairs Direct was intended  
 14 to be largely self-sufficient on a day to day basis."  
 15 Just to give some context for the panel and anyone  
 16 listening, Mr Webb was MD from January 2016 until  
 17 November 2017; is that correct?  
 18 A. I think so. I recall December 2015, but yes, that's —  
 19 Q. Thereabouts.  
 20 A. Yes, yes.  
 21 Q. Can you help us, what did that dotted line mean in  
 22 practice?  
 23 A. I mean, in practice somebody has to have some point of  
 24 contact into the organisation, and so it really is about  
 25 annual leave, some basic — so some employment

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1 oversight, but also, you know, if he did want to talk to  
 2 me, he could do. We could discuss his general progress  
 3 and making sure that he had the resources in place in MD  
 4 to fulfil his responsibilities.  
 5 Q. Now, the impression from this organogram is that you, as  
 6 executive director of operations, had direct  
 7 responsibility for the management of the MD for  
 8 Repairs Direct. Is that a fair and accurate summary?  
 9 A. No, I don't think so, I think it is a dotted line, and  
 10 actually the management — it was a separate limited  
 11 company and he was responsible to the board, and that  
 12 was a collective group of people under their  
 13 responsibilities as company directors, and he was  
 14 accountable to that board.  
 15 Q. Now, can we look to a 2016 version of the organogram,  
 16 which is at {TMO10014959/13}.  
 17 Now, you will see there you at the top. The dotted  
 18 line to the MD of Repairs Direct has gone. Can you  
 19 explain why?  
 20 A. What's the date of this one?  
 21 Q. This one is 2016.  
 22 A. 2016 ... no, I can't explain why, sorry. No, it is  
 23 missing.  
 24 Q. Okay.  
 25 Now, can we now move on to the topic of concerns

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1 with the quality and efficiency of Repairs Direct's  
 2 service, and could we first of all turn to  
 3 {RBK00060576}. Now, as its frontispiece indicates, this  
 4 is a final audit report, May 2014, into Repairs Direct  
 5 conducted by RBKC.  
 6 First of all, did you receive a copy of this report?  
 7 A. I think I would have done, yes, yes.  
 8 Q. And did you read it?  
 9 A. Yes.  
 10 Q. Now, can we turn to page 6 within this document  
 11 {RBK00060576/6}, and if we look at the last paragraph on  
 12 this page, it explains that it was an interim audit and  
 13 a follow-up audit would be undertaken on the progress  
 14 and direction of travel of the service after a full year  
 15 of operation.  
 16 If we can stay within this document but go on to  
 17 page 12 {RBK00060576/12}, you will see in the top  
 18 left-hand corner "Management Action Plan", and  
 19 underneath that "Repairs Quality Monitoring", and you  
 20 will see there "Areas of concern" identified at the  
 21 bottom of the far left-hand column. The first one  
 22 identified is, "General level of poor quality  
 23 workmanship".  
 24 If we go over the page {RBK00060576/13}, we will see  
 25 the third bullet point from the top:

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1 "Failure by some operatives to adhere to basic  
 2 Health and Safety processes."  
 3 The final bullet point:  
 4 "Quality of work produced by sub-contractors is not  
 5 included in surveys."  
 6 If we can turn to the management response at page 14  
 7 {RBK00060576/14}, we see there in the third bullet point  
 8 on that page in the bottom half of that page, it says:  
 9 "Greater focus on the quality of workmanship during  
 10 the post inspection process."  
 11 The fourth bullet point says there will be:  
 12 "Further [health and safety] training with random  
 13 spot checks on both employees and sub-contractors."  
 14 First of all, did you agree with the analysis of  
 15 failings that was described to be balanced and fair in  
 16 the opening line of this management response at the top  
 17 of the page?  
 18 A. I think that we were five months into a new service and  
 19 this did identify some of the issues, so, yes, that  
 20 would be fair.  
 21 Q. Can you remember now, what practical steps did you  
 22 yourself take to remedy the identified failings?  
 23 A. So the managing director was directly responsible, but  
 24 there are a number of actions you can see here and we  
 25 worked our way through those and we discussed that at

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1 board level, and there was a lot of work in terms —  
 2 I know Graham was doing a lot of work in terms of these  
 3 particular items, focus groups. So, for example, we had  
 4 a lot of work in the contact centre on our processes,  
 5 a lot of work on improving the IT systems, we did health  
 6 and safety gap analysis, more training. So we had  
 7 a range of different elements to cover.  
 8 And what I would say is that we had just taken over  
 9 and we were five months in, and so the staff were TUPEd  
 10 from Willmott Dixon, from the previous contractor, so  
 11 some of their culture and experiences would have come  
 12 from Morrison, which I mentioned earlier, then TUPEd  
 13 over into Willmott Dixon, and then TUPEd over into —  
 14 transferred into Repairs Direct. So five months in, you  
 15 would have to do a lot of work around culture and  
 16 training and starting to embed your processes. So it  
 17 was at that point in time and there were lots of  
 18 different workstreams.  
 19 Q. When Mr Webb started at the TMO, did the board or indeed  
 20 anyone else brief him on the conclusions of this audit  
 21 and what had been done to remedy the deficiencies?  
 22 A. Sorry, Mr Black?  
 23 Q. Mr Webb.  
 24 A. Mr Webb? Can you repeat your question, sorry?  
 25 Q. Yes, of course.

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1 When Mr Webb started work at the TMO, so whether it  
 2 was December 2015 or January 2016, did you or anyone  
 3 else brief him on the contents of this audit report and  
 4 what had been done to remedy the identified  
 5 deficiencies?  
 6 A. Yeah, he would have been aware of this report and all  
 7 of —  
 8 Q. Sorry, can I stop you there.  
 9 A. Yeah.  
 10 Q. Would have been or was?  
 11 A. I can't specifically recall at the time, but —  
 12 Q. So you're assuming he was briefed?  
 13 A. Yeah.  
 14 Q. Could I now take you to an email from Andrea Newton of  
 15 the Lancaster West Residents' Association,  
 16 {TMO10026082/3}. There you see at the top the email  
 17 from Andrea Newton, email sent on 9 March 2016 at 8.59,  
 18 addressed to you, as well as Mr Black and others, but  
 19 you're specified as the addressee. She raised a number  
 20 of concerns about the repairs service being provided,  
 21 saying:  
 22 "I feel there is a huge lack of coordination within  
 23 TMO and [Repairs Direct]."  
 24 That's set out in the fifth line of that email.  
 25 She then goes on to explain the substance in detail

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1 of her concerns.  
 2 Now, my first question is: at the time, was it your  
 3 assessment that there was a lack of co-ordination,  
 4 whether it was huge or not, between the TMO and  
 5 Repairs Direct?  
 6 A. I'm not quite sure what — between the TMO and RD ...  
 7 I think there were a huge number of processes in  
 8 a responsive repairs service, and the residents' entry  
 9 point into the organisation would have been through the  
 10 contact centre, so I'm not sure how wide that means in  
 11 terms of the TMO, and the contact centre is where  
 12 residents would report repairs, and then they'd be  
 13 raised and Repairs Direct would complete them. So  
 14 I think that's what she's referring to.  
 15 Q. Just going further down into the email, you will see  
 16 third paragraph below the fifth line which starts:  
 17 "But despite management at TMO literally  
 18 'micro-managing' specific repairs that are then passed  
 19 onto the [relevant] people within the repairs depts,  
 20 staff are seeming to completely ignore procedure or are  
 21 incapable of getting bookings finalised and contractors  
 22 to arrive to the jobs on the right day if at all."  
 23 Then she goes on to give other practical examples.  
 24 Was that a concern that was more broadly expressed  
 25 by residents in TMO housing stock to you at the time?

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1 A. I think we were trying to get feedback from residents  
 2 and we were always working on trying to improve, and one  
 3 of the areas that needed improvement was the contact  
 4 centre diagnosis and then the planning process, which is  
 5 about getting the jobs to the contractors, and then we  
 6 had a series of issues with subcontractors and  
 7 appointment systems, and we also had processes to get  
 8 right with materials suppliers.  
 9 So there are at least 10 to 15 points at which every  
 10 responsive repair could create an interruption, so to  
 11 speak, and so I think it's not straightforward, it's  
 12 quite complex, and I think that's what we were working  
 13 on and that's what she's referring to.  
 14 Q. I think my question was, put differently, is  
 15 Andrea Newton's email an exemplar of broader concerns  
 16 that were expressed to you via residents when you asked  
 17 for their feedback?  
 18 A. No, I don't think so. I mean, I can't — this is one  
 19 email. I'm not sure that I saw other information from  
 20 residents expressing that. But I think we definitely  
 21 knew the areas we needed to focus on, which I've just  
 22 sort of gone over with you.  
 23 MR KINNIER: Okay.  
 24 Sir, I'm mindful of the time. This is probably as  
 25 convenient a point as any to break for lunch.

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1 SIR MARTIN MOORE—BICK: Right. Well, thank you very much.  
 2 Yes, we'll stop at this point, Ms Jevans, so we can  
 3 all go and get some lunch. We will resume at 2 o'clock,  
 4 please.  
 5 THE WITNESS: Okay.  
 6 SIR MARTIN MOORE—BICK: Remember not to talk to anyone about  
 7 your evidence or anything relating to it over the break.  
 8 All right?  
 9 THE WITNESS: Okay, thank you.  
 10 SIR MARTIN MOORE—BICK: Thank you. If you would like to go  
 11 with the usher, please.  
 12 (Pause)  
 13 Thank you, 2 o'clock, then, please.  
 14 MR KINNIER: Thank you, sir.  
 15 (1.00 pm)  
 16 (The short adjournment)  
 17 (2.00 pm)  
 18 SIR MARTIN MOORE—BICK: Right, Ms Jevans, ready to carry on?  
 19 THE WITNESS: Yes.  
 20 SIR MARTIN MOORE—BICK: Yes, thank you.  
 21 Yes, Mr Kinnier.  
 22 MR KINNIER: Thank you, sir.  
 23 Ms Jevans, before the break we were considering  
 24 an email you received from Andrea Newton of the  
 25 Lancaster West Residents' Association. If we could go

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1 back to that email at {TMO10026082/2}, there we have  
 2 your response, Ms Jevans, to Andrea Newton.  
 3 Then if we scroll up this page, you see you  
 4 forwarded the email to, amongst others, Mr Webb, and we  
 5 see at the very top, point 4:  
 6 "Graham please start thinking about when we can  
 7 start the Lanc West pilot (if not already)."  
 8 What was the Lanc West pilot, can you remember?  
 9 A. I think this was Graham's team were going to work more  
 10 closely with the Residents' Association, and pilot new  
 11 processes that are linked to this (inaudible) journey  
 12 mapping. So I can't recall at this stage the detail of  
 13 that, but it would have been a pilot around improving  
 14 the processes between the TMO's staff, the contact  
 15 centre and Repairs Direct to improve the processes on  
 16 repairs.  
 17 Q. After this chain of email correspondence, did you  
 18 discuss the substance of Andrea Newton's concerns with  
 19 Graham Webb himself?  
 20 A. I would have done, yes.  
 21 Q. And Teresa Brown?  
 22 A. Yes.  
 23 Q. Did you agree an action plan with Mr Webb to address the  
 24 issue, or did you leave him to liaise with Ms Newton and  
 25 the Lancaster West Residents' Association himself?

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1 A. I think he was liaising with the Residents' Association,  
 2 but we were all talking together about this. This was  
 3 a project and it was about improvements.  
 4 Q. Thank you.  
 5 If we can now turn to a separate topic, and if  
 6 I could ask you to turn up {RBK00059040}. That is, as  
 7 you see, a board meeting of Repairs Direct on  
 8 26 February 2015. We see you're an attendee.  
 9 On page 3 {RBK00059040/3}, item 7.8, it is minuted  
 10 that:  
 11 "Paul Gevaux informed the board that a health &  
 12 safety review which had been undertaken highlighted the  
 13 gaps to be addressed by the Company and measures were  
 14 being put in place to handle issues like asbestos in the  
 15 workplace for operatives being sent into homes with  
 16 asbestos exposure. Paul Gevaux reassured the Board that  
 17 an action plan was in place to manage the gaps and that  
 18 progress against the plan would be regularly reported to  
 19 the Board. Also, a new health & safety policy document  
 20 was being put together."  
 21 Now, if we can turn to the health and safety audit  
 22 which can be found at {TMO00863642}. Now, this is  
 23 referred to in the previous minute, and was carried out  
 24 by Rob Anderson of RHSS Limited in December 2014.  
 25 Can you remember receiving this report?

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1 A. I think I will have done. I can't specifically recall  
 2 it now, but I would have done.  
 3 Q. Would you have read it too?  
 4 A. Yes, I think so.  
 5 Q. Now, if we can turn to page 5 in this document  
 6 {TMO00863642/5}, you will see in the bottom half of the  
 7 page the audit is divided into 11 parts, with each  
 8 receiving a score. We see that the overall score was 40  
 9 out of 100.  
 10 If we turn to page 10 within this report  
 11 {TMO00863642/10}, and if we look at health and safety  
 12 arrangements under the heading "Requirements", which is  
 13 the bottom half, it says:  
 14 "Health and Safety Management must come from the top  
 15 of the business down and then back up again. The Policy  
 16 statements are statements of intent signed off by the  
 17 person ultimately responsible for the Health and Safety  
 18 of the business. Health and Safety is a business  
 19 function that needs constant attention and the structure  
 20 should reflect this. The Health and Safety Policy is  
 21 best summarised on the HSE website:  
 22 "'It should clearly say who does what, when and  
 23 how.'  
 24 "The current policy does not do this."  
 25 Thereafter there are five actions, and if we go over

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1 the page to 11 {TMO00863642/11}, you will see scores are  
 2 given of 2 out of 10 there.  
 3 Now, if we go to a separate document, {TMO00863652},  
 4 in relation to the actions set out in the audit, we have  
 5 this document, which is called "Health & Safety Policy",  
 6 Repairs Direct, version 1, you see bottom right—hand  
 7 corner, dated February 2015.  
 8 Have you seen this document before?  
 9 A. I can't recall it now, but I probably would have seen it  
 10 at the time.  
 11 Q. And read it, presumably?  
 12 A. I can't recall it.  
 13 Q. Who would have been responsible for drafting the health  
 14 and safety policy at Repairs Direct?  
 15 A. 2015, I think it would have been Paul Gevaux, and with  
 16 the input from Janice Wray's team at that time.  
 17 Q. Can you remember whether this report was prepared to  
 18 deal with the deficiencies identified in the  
 19 December 2014 audit?  
 20 A. It will have been, yeah.  
 21 Q. Now, if we go to page 2 within this document  
 22 {TMO00863652/2}, turn over the page basically, we see  
 23 that the date in the change register is Feb/July 2015,  
 24 and the reason given was document redraft.  
 25 Can you remember whether this was circulated to

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1 Repairs Direct staff once it had been signed off?  
 2 A. I expect it would have been, but I wouldn't have  
 3 necessarily known that. I think Paul Gevaux would have  
 4 taken responsibility for that.  
 5 Q. Would the latter date of July 2015 indicate when the  
 6 policy was formally adopted and rolled out?  
 7 A. From this, it looks like that, yes.  
 8 Q. Now, apologies for jumping around documents, but if  
 9 I could now turn back to the 2014 audit, and in  
 10 particular {TMO00863642/19}, and if we look at section 5  
 11 under training, under the heading "Requirements" in the  
 12 bottom half of the page, it says:  
 13 "Quite simply Health and Safety training is a legal  
 14 requirement and the company is falling well short of its  
 15 obligations."  
 16 If we turn over the page {TMO00863642/20}, you see  
 17 there at the bottom four actions are identified, and  
 18 a score for training, section 5, is given as 1 out of 5.  
 19 Can you help us, were those four actions  
 20 implemented?  
 21 A. I think this is better answered by the MD, but from  
 22 a board perspective, we were very keen to make sure that  
 23 the health and safety requirements were fulfilled in  
 24 Repairs Direct, so I assume that this would have been  
 25 completed.

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1 Q. But you can't say —  
 2 A. I can't say for sure.  
 3 Q. You can't confirm the position?  
 4 A. No.  
 5 Q. Just looking at action 2, can you confirm whether  
 6 a competent person was appointed to identify training  
 7 needs?  
 8 A. I would have expected that in the health and safety  
 9 manager role, to identify the needs and then work out  
 10 how to do the appropriate training.  
 11 Q. Can you confirm whether that was done and who that  
 12 person was at the time?  
 13 A. Are we in 2015?  
 14 Q. At this time, we're in December 2014.  
 15 A. Sorry, I can't recall who it was at the time. Sorry.  
 16 Q. Now, if we can stay in this document but go to page 27  
 17 {TMO00863642/27}, we have section 9, "Fire protection  
 18 and Prevention". Under "Observations", it's recorded  
 19 that:  
 20 "Fire awareness training has not been provided to  
 21 operatives."  
 22 It recommended fire awareness training be provided  
 23 to all staff.  
 24 Can you confirm whether or not fire safety training  
 25 was provided to all Repairs Direct staff or not?

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1 A. I can't — going back to your previous question, I think  
 2 it was Michael Lyons at this point in time, and so he  
 3 would have been working on this, and I can't recall here  
 4 today the answer to your question. And this would have  
 5 been also in the remit of Anthony Parkes to oversee this  
 6 element of work.  
 7 Q. So you can't help us on the detail is the —  
 8 A. Sorry. I'm sorry, no, I can't.  
 9 Q. Can we look at the minutes of the Repairs Direct board  
 10 meeting on 10 March 2016, which is {RBK00059213}. Now,  
 11 chaired by Barbara Matthews, you attend, you're the  
 12 third attendee identified there.  
 13 If we can turn to page 3 {RBK00059213/3}, item 8, it  
 14 says there, the first item under 8.1:  
 15 "Graham Webb informed the Board that the Health and  
 16 Safety (H&S) Manager position was still vacant. He  
 17 explained that the delay to recruit for the H&S manager  
 18 had been the need to fully ascertain the business needs  
 19 and also build plan for accreditation on various ISO  
 20 schemes before recruiting for a suitable candidate. He  
 21 assured the Board that he intends to recruit by June  
 22 2016. The Board was assured that the risk had mitigated  
 23 by ensuring that all the workforce are fully trained on  
 24 H&S issues on the role."  
 25 Now, at that stage, were you concerned about the

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1 absence of a health and safety manager at  
 2 Repairs Direct?  
 3 A. I think it was really difficult to recruit health and  
 4 safety managers, that was our experience, which —  
 5 Q. Can you explain why? Sorry to cut across you.  
 6 A. I think it's a difficult role and there just simply  
 7 aren't that many applicants, and so it's quite  
 8 a specific area, particularly relating to responsive  
 9 repairs, so I think we found it difficult to recruit.  
 10 And from this note here, our MD is giving the board the  
 11 assurance in the interim mitigation actions.  
 12 Q. The minute noted in that final sentence that all  
 13 workforce had been trained on health and safety issues.  
 14 Can you remember what detail had been provided to give  
 15 the board that assurance?  
 16 A. I can't remember the detail at the time, no, sorry.  
 17 Q. Can you remember what the phrase "fully trained on  
 18 [health and safety] issues on the role" actually means  
 19 in practice?  
 20 A. Well, it would have been all of the areas that the  
 21 Repairs Direct operatives are responsible for in terms  
 22 of health and safety, so things like manual handling,  
 23 working at height, those types of areas.  
 24 Q. Can you remember whether fire safety would have been  
 25 caught by that?

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1 A. I would have expected it to have been included, yes.  
 2 Q. Now, Repairs Direct recruited a health and safety  
 3 manager in November 2016, Shannon MacInnes. Did you  
 4 have any role in her recruitment?  
 5 A. I don't think so, no, not that I can recall.  
 6 Q. Before she was recruited, who was responsible for  
 7 ensuring that Repairs Direct discharged its health and  
 8 safety obligations?  
 9 A. If there were a gap, I would say the managing director,  
 10 and before that, I think it was Michael Lyons.  
 11 Q. Now, Shannon MacInnes prepared a health and safety  
 12 management system gap analysis in February 2017 and that  
 13 can be found at {TMO10016214}.  
 14 Do you remember receiving that document?  
 15 A. Can I see a bit of it?  
 16 Q. Of course.  
 17 (Pause)  
 18 A. I could well have done. I'm sorry, I can't recall today  
 19 looking at it, but —  
 20 Q. If you had received it, would you have read it?  
 21 A. Yes, I would have done.  
 22 Q. Now, can we look at item 2.1 on the second page  
 23 {TMO10016214/2}, and it says under the "Executive  
 24 Summary":  
 25 "Significant failures have been identified across

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1 the management system. Failures are attributable to  
 2 an absence of;  
 3 "— defined health and safety standards addressing  
 4 the specific needs of RD  
 5 "— policies and procedures  
 6 "— accident investigation  
 7 "— risk management and;  
 8 "— non—compliance with regulatory requirements."  
 9 Given the conclusions of the audit in December 2014,  
 10 can you explain how a situation had arisen where such  
 11 significant failures remained at Repairs Direct in  
 12 February 2017?  
 13 A. I think that there had been a series of gaps and I think  
 14 it was difficult to recruit that type of person with the  
 15 expertise that we needed, and I think each time you  
 16 recruit a new person will start looking at all of the  
 17 procedures and review those, and so I think it was —  
 18 I think the board were concerned and knew that this was  
 19 an area that needed work.  
 20 Q. Given the extensive nature of the failures that had been  
 21 identified, do you now remember reading this report or  
 22 not?  
 23 A. I don't recall this report, I'm afraid, it's quite  
 24 a long time ago.  
 25 Q. It was provided in February 2017. Can you remember

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1 what, if anything, you did in response to making good  
 2 the identified deficiencies?  
 3 A. I would have spoken to Barbara Matthews at the time and  
 4 also we'd have expected a response from Graham Webb.  
 5 Q. Can you remember whether you did ask for that response?  
 6 A. I will have done, yes.  
 7 Q. And did you receive a response?  
 8 A. I think the response was that Graham Webb was going to  
 9 implement the actions.  
 10 Q. Now, if we can go down to page 3 {TMO10016214/3} and  
 11 item 4.3, in relation to training, it says:  
 12 "Health and Safety training is a legal requirement  
 13 and [Repairs Direct] is falling short of its  
 14 obligations."  
 15 It goes on to say in the final paragraph up on the  
 16 screen:  
 17 "There is limited evidence of training certificates  
 18 for Operatives and contractors, and no evidence of  
 19 certificates for temporary workers. Mandatory training  
 20 requirements have not been established, or frequencies  
 21 for renewal defined or monitored."  
 22 Given the deficiencies identified in December 2014,  
 23 Graham Webb's assurance on 10 March 2016 that the risk  
 24 of not having a health and safety manager had been  
 25 mitigated by training, what did you make of this finding

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1 in February 2017?

2 A. I think it's fair to say that this was of concern, and

3 the expectation is that the managing director would act

4 on this with urgency and make sure that all of these

5 actions identified are completed.

6 Q. Did you take any steps yourself to press Graham Webb for

7 an explanation as to why there was such a significant

8 deficiency in the training provided to his staff?

9 A. I would have done, yeah.

10 Q. Can you remember whether you did?

11 A. Yes, I'm sure I did at the time, yes. I mean, it was of

12 concern to the board, and clearly this identifies a lot

13 of actions that still needed to be done. We had gaps,

14 we had gaps in expertise which we knew we had to fill,

15 and I think it shows that there was work that we really

16 needed to get on with, and yes, he did need to be

17 accountable for that.

18 Q. If we turn over the page to item 5 {TMO10016214/5}, we

19 see a summary of recommendations at 5.1 and 5.2. I'll

20 just let you briefly refresh your memory.

21 (Pause)

22 A. Yeah.

23 Q. Now, can you remember whether any of those steps were

24 actually taken, pre—eminently the development of

25 "meaningful KPIs"?

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1 A. We did have a suite of KPIs and I think it needed to be

2 expanded to include some of these elements, and I think

3 this is, if I'm right, now 2017.

4 Q. February 2017.

5 A. So it will have been in development. I can't say how

6 far for sure in my recollection that we got with these

7 elements.

8 Q. Okay. So you can't say one way or another whether these

9 actions were fully completed?

10 A. I would assume at that point they were completed, but

11 I can't say for certain.

12 Q. Okay, and it's only an assumption?

13 A. Yeah.

14 Q. Can you give the panel any assistance as to whether

15 regular compliance audits were carried out after

16 February 2017?

17 A. Yes, I think they did set up a process for compliance

18 audits and taking a sample and looking at the processes.

19 Q. You say "I think"; how certain are you?

20 A. It's a long — I can't recall. I can't recall for sure,

21 I'm sorry.

22 Q. We don't need to go to it unless you need to, but in her

23 statement, Shannon MacInnes said at paragraph 16 this

24 {TMO00899676/4}:

25 "I cannot recall the specific actions taken

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1 following the production of my Report. I did not feel

2 health and safety was a priority at Repairs Direct.

3 This was one of the reasons why I eventually left,

4 health and safety concerns were more 'talk than

5 action'."

6 Do you agree with that pithy assessment of health

7 and safety at Repairs Direct?

8 A. I mean, those are her words. I'd like to think that

9 that wasn't the case, I really don't think it was, and

10 I think that she would probably be referring to

11 management within Repairs Direct, and obviously my role

12 was sitting on the board and the responsibility for

13 making sure this was in place sat with the MD. But,

14 having said that, our overall culture within the

15 organisation and our intentions were not that, and we

16 were focused on trying to get it right. So it is

17 disappointing to hear that.

18 Q. Don't you think that the findings of the December 2014

19 audit, when you're looking at what was found in

20 February 2017, significant deficiencies still existed,

21 isn't there some truth, however hard to swallow, in

22 Shannon MacInnes' criticism that it was all talk and no

23 action at Repairs Direct in relation to health and

24 safety?

25 A. I think they are her words and I think that, from my

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1 perspective, in my role, I had a very broad remit, as

2 you've heard, and we were trying hard to make sure that

3 these gaps were filled. And we were certainly — we've

4 done a number of audits, so we were trying to find out

5 what the issue was and put things right.

6 Q. Now turn on to co—ordination with TMO on health and

7 safety, including fire safety.

8 If we could turn to {TMO00844151}, these are the

9 minutes of the TMO health and safety committee meeting

10 on 31 July 2015.

11 Now, you didn't attend, but it's recorded in item 11

12 on the fifth page {TMO00844151/5} and in the second

13 sentence that:

14 "Barbara [presumably Barbara Matthews] advised that

15 we should have common policies and procedures for both

16 KCTMO and RD, and that Janice should have audit rights

17 over RD's Health & Safety systems."

18 Do you recall what common health and safety policy

19 and procedures existed at this time, so July 2015,

20 between TMO and Repairs Direct?

21 A. No, I think this would have been an area more for

22 Barbara and her team.

23 What's the date of these minutes, sorry?

24 Q. These minutes are 31 July 2015.

25 A. Right, okay.

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1 Q. So not that long after Barbara Matthews joined the TMO.  
 2 A. Yeah.  
 3 Q. Can you remember whether Janice Wray retained audit  
 4 rights over Repairs Direct health and safety systems?  
 5 A. I think she did, yes.  
 6 Q. From that, can we take it that she exercised those  
 7 rights?  
 8 A. I'm not sure I could be clear on that, sorry, I can't  
 9 recall —  
 10 Q. Is that something for Janice Wray rather than you?  
 11 A. Yes. Yes, it would be, sorry.  
 12 Q. Given her role in auditing the systems, can you give us  
 13 a summary of your understanding of Janice Wray's  
 14 responsibilities in relation to health and safety at  
 15 Repairs Direct?  
 16 A. I think from this minute the suggestion is that they  
 17 align, that the policies and procedures align, and  
 18 I think when we set up RD, we had policies and  
 19 procedures in place that the set-up group implemented in  
 20 that first 10 months of set-up, and so I do think there  
 21 were probably two sets of procedures, and this point is  
 22 making sure that they are aligned correctly, and that  
 23 Janice's role, to answer your question, was an oversight  
 24 of that alignment process.  
 25 Q. Are you able to put much flesh on that answer, in the

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1 sense of giving the panel an idea of the extent of the  
 2 support Janice Wray and her department gave to health  
 3 and safety at Repairs Direct?  
 4 A. I'm not so sure on that, because most of her  
 5 communication would have been with the managing director  
 6 and the managers within RD. But there's certainly  
 7 a responsibility on the MD and his management team to  
 8 make sure the appropriate policies were in place as  
 9 well.  
 10 Q. Now, there was a TMO health and safety action plan, and  
 11 if we can look at the version prepared for a meeting on  
 12 19 January 2016, which is at {TMO10007729}.  
 13 If we could look at row 13 and reference A5,  
 14 column B, it contains the action:  
 15 "Continue to work with A&R and RD to ensure fire  
 16 safety firmly embedded in all work ..."  
 17 Then reading rightwards across to column E, it says:  
 18 "Met with RD H&S and impressed on him the importance  
 19 of ensuring jobs are 'made good to fire-resisting  
 20 standard'."  
 21 Now, this action, or substantially similar terms,  
 22 was contained in the action plan for all TMO health and  
 23 safety committee meetings between November 2014 and  
 24 June 2016.  
 25 My first question is this: were you aware of the

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1 health and safety action plan?  
 2 A. At the health and safety committee?  
 3 Q. Yes.  
 4 A. Yes, I think we did have an action plan, yes, I was  
 5 aware of that.  
 6 Q. Were you familiar with this particular action, namely to  
 7 embed fire safety in all work?  
 8 A. Yes, yeah.  
 9 Q. Mindful of your management role over assets and  
 10 regeneration and your board membership of  
 11 Repairs Direct, can you assist with what work was done  
 12 "to ensure that fire safety was firmly embedded in all  
 13 work"?  
 14 A. I think that if you look at the work that we undertook  
 15 around training, that was an important aspect, so that  
 16 staff were aware of their responsibilities, that was one  
 17 element.  
 18 In terms of our contracts, we needed to make sure  
 19 that our contractors absolutely were held to account on  
 20 health and safety and followed the right procedures. So  
 21 there was a whole piece around procurement and our  
 22 contract management.  
 23 And then the third element I would say as an example  
 24 is our systems that are in place for tracking and  
 25 monitoring and making sure that we are able to hold

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1 individual staff and teams to account on making sure  
 2 they complete that work.  
 3 So there were several streams to that, but by way of  
 4 example, those are three of them.  
 5 Q. Now, bearing in mind your role as the executive director  
 6 of operations at TMO and your role as a board member of  
 7 Repairs Direct, what was your understanding of  
 8 Repairs Direct's role in reducing fire risk and  
 9 assisting the TMO to comply with its fire safety  
 10 obligations?  
 11 A. They had an obligation in terms of the responsive  
 12 repairs, and so they needed to absolutely meet the  
 13 turnaround times on actions, so they needed to be able  
 14 to respond within the timescales to the right standard  
 15 and to the right specification on fire safety issues.  
 16 Q. Thank you.  
 17 Now, I want to turn to minutes of a meeting of the  
 18 Repairs Direct board on 10 March 2016 which can be found  
 19 at {RBK00059213}. We looked at these in a different  
 20 context earlier. You attended there.  
 21 If we can turn to page 2 {RBK00059213/2}, item 5.4,  
 22 you will see that the second paragraph under 5.4, it's  
 23 recorded that:  
 24 "The Board then discussed the policy needs of the  
 25 Company. Graham Webb suggested that the Company could

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1 adopt the parent Company's policies as a way to strive  
 2 to attain the same standards."  
 3 Do you recall in any detail what the Repairs Direct  
 4 policy needs were at this point?  
 5 A. I think this refers to a corporate risk register for  
 6 Repairs Direct company, it's not specific to  
 7 fire safety. It's a corporate risk register.  
 8 Q. Understood.  
 9 Can you give us any further detail on what  
 10 particular TMO policies were being considered for  
 11 adoption? Did Mr Webb give you any detail?  
 12 A. There's a whole process corporately around risk  
 13 management and our corporate risk evaluation processes  
 14 and risk map process, and that's what that will be  
 15 referring to, adopting the same style on how you assess  
 16 risk, impact, likelihood and scoring mechanism.  
 17 Q. So does it flow from that that the TMO's fire safety  
 18 strategy was not a common policy as between the TMO and  
 19 Repairs Direct?  
 20 A. Well, there were policies in Repairs Direct and there  
 21 were corporate health and safety policies at the TMO,  
 22 so ... sorry, I think you're going to have to rephrase  
 23 the question.  
 24 Q. Don't worry.  
 25 Can you remember now, was the TMO's fire safety

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1 strategy a common policy shared by Repairs Direct?  
 2 A. They will have been aware of that, I think, yes.  
 3 Q. That's not quite an answer to the question. My question  
 4 was: was the TMO's fire safety strategy a shared  
 5 strategy with Repairs Direct?  
 6 A. Yes, although again, I can't recall from the time, but  
 7 yes, I would accept it would be, yes.  
 8 Q. Jumping forward, on 7 June 2017 Janice Wray circulated  
 9 papers for a health and safety meeting to be held on  
 10 13 June. We looked at this slightly earlier. One of  
 11 the reports attached to that email was entitled "Health  
 12 and safety progress report — Repairs Direct".  
 13 Now, can we go to that, which is at {TMO00845378}.  
 14 We see at paragraph 1 it lists various health and safety  
 15 procedures and states that:  
 16 "Additional operational procedures that are needed  
 17 to ensure proper health and safety compliance will be  
 18 required."  
 19 If we look at 1.2, it records that a general health  
 20 and safety policy specific to Repairs Direct had been  
 21 drafted.  
 22 Can you explain why a new health and safety policy  
 23 specific to Repairs Direct was prepared in 2017?  
 24 A. I mean, I think this is trying to reflect the nature of  
 25 the work in Repairs Direct, and make sure that the right

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1 policies are in place.  
 2 Q. Was this an action flowing from Shannon MacInnes' gap  
 3 analysis?  
 4 A. I'm not sure on the timing, but I would assume so, if it  
 5 follows from the gap analysis.  
 6 Q. At paragraph 1.3 it refers to two operational procedures  
 7 adapted from existing TMO documents, so that was the  
 8 guidance on risk assessment and the TMO accident  
 9 reporting procedure.  
 10 Can you help us, is that a comprehensive list of the  
 11 health and safety policies for Repairs Direct as at  
 12 June 2017?  
 13 A. I would have expected there to be more procedures there  
 14 than is listed there.  
 15 Q. To the lay eye one assumes there would be more specific  
 16 policies dealing with fire safety systems, fire doors,  
 17 alarms and the rest of it. Would you assume those  
 18 existed?  
 19 A. I would expect so, yes. And, again, I would expect of  
 20 the — Barbara Matthews at this time to have input  
 21 through the board, RD board, on guidance on this.  
 22 Q. Can we now look at the backlog of general responsive  
 23 repairs and reporting performance, and can I ask you to  
 24 turn to {RBK00059052}. These are minutes of  
 25 a Repairs Direct board meeting on 28 May 2015.

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1 If we could go to page 2 {RBK00059052/2}, item 5.2:  
 2 "Paul Woodham noted that the WIP ..."  
 3 Is "WIP" works in progress?  
 4 A. Works in progress, yeah.  
 5 Q. "... as at 31st March was at 1,942 and aged WIP at 961.  
 6 He wanted to know if there were any plans to reduce WIP  
 7 and aged WIP. Paul Gevaux responded that the level of  
 8 WIP at year end had been higher and had reduced by 1,500  
 9 jobs. Additionally, there are plans to reduce WIP  
 10 details of which he would give at a later date.  
 11 Paul Gevaux reiterated that the acceptable level of aged  
 12 WIP was 40—50 jobs at any one time. However, if there  
 13 is WIP in the system beyond two months, there should be  
 14 a report which details and justifies why exceptional  
 15 WIPs were in the system."  
 16 Now, were aged works in progress those outside their  
 17 target date for completion, can you remember now?  
 18 A. Erm ... sorry, say the question again.  
 19 Q. Yes. Were aged works in progress, so aged WIPs, those  
 20 which were outside their target date for completion?  
 21 A. No, I don't think so, because it's the acceptable level  
 22 of aged WIP. WIP has a certain period of time, so  
 23 I can't tell from that question whether it would be  
 24 overdue or whether it would be within the reasonable  
 25 period or the timeline that's set.

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1 Q. Can you remember now whether the backlog consisted  
2 entirely of responsive repairs?  
3 A. This is referring to responsive repairs.  
4 Q. Would those repairs have included FRA repair requests?  
5 A. They may have done, yes.  
6 Q. And presumably it meant they would also have included  
7 fire safety measures, such as flat entrance door  
8 repairs?  
9 A. Yes.  
10 Q. Would you have been able to identify that level of  
11 detail from the information provided by Paul Gevaux?  
12 A. Not in this — not at this board level, but I know that  
13 there was a lot of discussion around the FRA actions and  
14 focusing on that, and they had a specific project to  
15 focus and dedicate on the FRA actions at some — at one  
16 point in time.  
17 Q. Did the work of that project involve identifying the  
18 types of actions that needed to be done?  
19 A. It would have been, yeah.  
20 Q. You say it would have been; was it?  
21 A. Yes, yes.  
22 Q. Can you assist on why a still substantial backlog had  
23 crept up again?  
24 A. So, I mean, just to put context here, we were doing  
25 30,000 jobs a year, so if you have a period of sickness

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1 or a change in management or a problem with materials  
2 supply or a subcontractor whose performance starts to  
3 deteriorate, all of those outstanding repairs can build  
4 up really quite quickly. So it could have been any  
5 number of those reasons that was happening, and it was  
6 a constant process of keeping on top of those issues.  
7 Q. Were those the reasons, rather than looking at it in the  
8 abstract, for this particular backlog?  
9 A. It would have been.  
10 Q. It would have been or it was?  
11 A. It was. It was.  
12 Q. Now, did Mr Gevaux produce a plan for the board or  
13 indeed any other body to set out what he was doing to  
14 reduce the backlog?  
15 A. I'm not sure if it was a specific plan, but all of those  
16 items are — and in my experience across my different  
17 job roles, are those are the types of things that you  
18 will need to focus on to get a WIP down. So he would  
19 have had a plan with his managers underneath him that  
20 details those sorts of elements.  
21 Q. Again, you have said "would have"; can you confirm  
22 whether he did or not, or is it outside your knowledge?  
23 A. I can't confirm, but I would say at this board level our  
24 expectation was that the managing director would be  
25 expected to manage that level of detail within the

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1 organisation, and experienced enough to know that that  
2 was the type of work that he had to put in place to get  
3 this WIP down.  
4 Q. At this stage — so this is May 2015, Ms Jevans — did  
5 you or Barbara Matthews, for want of a better phrase,  
6 eyeball Mr Webb and say, "What are you doing? What's  
7 the detail of the measures? Are you cracking the  
8 whip?", for want of a better phrase?  
9 A. Yes, we'd constantly have discussions about the  
10 challenges around getting responsive repairs and WIP  
11 down, yes, I did.  
12 Q. Can we now turn to the minutes of the Repairs Direct  
13 board meeting on 17 September 2015. They can be found  
14 at {RBK00059195}. Again you attended, you're the second  
15 attendee.  
16 If we can turn to page 3 {RBK00059195/3}, item 7.3,  
17 there it's recorded that you said this:  
18 "Sacha Jevans questioned the level of work in  
19 progress jobs and what was being done to reduce this.  
20 Rupa Bhola noted that the team were looking at the  
21 historical jobs currently at 2,300 to review the  
22 position and it was agreed that, between the Finance  
23 team and the Management team, the jobs would be reviewed  
24 and reduced where possible. In addition it was agreed  
25 that the work in progress reporting would include

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1 an aged analysis to enable the Board to understand if  
2 the jobs were current or historic. Paul Gevaux also  
3 confirmed that his team were looking into the systems  
4 processing of these historical jobs."  
5 Apologies for asking a technical question first  
6 about classification, but were historical jobs the same  
7 as aged jobs, ie those outside the target date?  
8 A. No, I think historical jobs refer back to elements —  
9 items that are quite a long time ago and that they  
10 needed to go through a process of making sure they were  
11 actually relevant still, because sometimes the jobs had  
12 been completed but they hadn't been closed out on the  
13 system and the administration of that hadn't been done.  
14 So it might not have been an actual real job, and that's  
15 what a historical job is. It might have been something  
16 that's been done and completed but there is no record of  
17 that, and so you would have to go back and check and  
18 verify that there was nothing outstanding and then close  
19 it out on the system.  
20 Q. Now, the historical jobs had more than doubled from 961  
21 in May 2015 to 2,300 in September 2015. Do you know why  
22 that increase had happened?  
23 A. From this minute, some of that will have been the  
24 administration, I think, and the issue of closing out  
25 jobs and the record-keeping process. Other than that,

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1 it would have been the number of other issues that I've  
 2 already talked about.  
 3 Q. And in response to your prompting, was a system put in  
 4 place to prioritise the clearing of those historical  
 5 repairs at this stage?  
 6 A. Yes, I think so, yes.  
 7 Q. Thereafter, again in response to your prompting, was  
 8 an aged analysis of works in progress provided to the  
 9 board so that they could monitor progress?  
 10 A. I can't recall, but I assume so.  
 11 Q. Now can we turn to an executive team meeting on  
 12 24 February 2016, which is at {TMO00840516}. Now, you  
 13 attended.  
 14 If we could go to page 3 {TMO00840516/3}, halfway  
 15 down page 3 there is a heading, "Repairs Direct", and  
 16 just the fourth line down it says:  
 17 "Graph — work in process £4000 jobs overall £1m  
 18 45k.  
 19 "BM these are not necessarily whole jobs. Some jobs  
 20 need to be closed. BM thinks this is about process.  
 21 Graham is getting staff in to try and clear backlog.  
 22 Disquiet about the level of the whip.  
 23 "Graham is working towards £1/2m by year end. We  
 24 need an explanation of why.  
 25 "Surplus?"

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1 "Payroll costs lower.  
 2 "How do we maintain getting the whip down. Paul the  
 3 new Chair of the Board will be challenging."  
 4 Now, to clarify, there were 4,000 jobs outstanding  
 5 at this point with a value of 1.45 million; is that  
 6 correct, reading —  
 7 A. I'm not sure I recall that. That doesn't — it doesn't  
 8 sound right.  
 9 Q. The WIP position appeared to have worsened since  
 10 September 2015. Is that a fair summary of the position?  
 11 A. I think — yes, probably, yes.  
 12 Q. Now, Barbara Matthews thought it was about process. Did  
 13 you agree with that observation at the time?  
 14 A. I can't recall, but I think this is what I'm referring  
 15 to about the processes and the administration, and  
 16 I think it's complex and it's lengthy and you need to  
 17 get that element right. So I think some of it is not  
 18 about that there were jobs outstanding, it was more  
 19 about us being able to clarify and get our systems  
 20 correct and get the jobs closed out.  
 21 Q. The minute referred to disquiet about the level of the  
 22 WIP. From where did the disquiet flow?  
 23 A. I'm not sure what that minutes refers to, and it may be  
 24 that there was a difference of opinion about the level  
 25 of WIP.

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1 Q. Can you remember any particular action points arising  
 2 out of this meeting to reduce WIP?  
 3 A. There will have been a discussion about that, and it  
 4 would have been about making sure that there was due  
 5 processes between RD and the finance team to make sure  
 6 repairs were closed out, but also a real concentration  
 7 in terms of the teams, their focus, with the operatives,  
 8 and the post—inspection process with subcontractors.  
 9 I think those are the types of areas that we would have  
 10 been discussing.  
 11 Q. Now, if we could turn to {TMO00862547/11}, item 2 of the  
 12 matters arising action log is "Review KPIs". That's  
 13 allocated jointly to you and Mr Webb, and this arose  
 14 from the meeting on 10 March 2016, the one we've just  
 15 been considering — one earlier, in a different context.  
 16 Now, in the "Update" column, it is recorded as  
 17 against "Review KPIs":  
 18 "Completed and revised suite of KPI agreed with TMO  
 19 Board and reported monthly/quarterly."  
 20 Do you recall reviewing and revising  
 21 Repairs Direct's KPIs with Graham Webb after the meeting  
 22 on 10 March 2016?  
 23 A. Yes, we will have done, yes.  
 24 Q. Did you?  
 25 A. Yes.

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1 Q. Yes.  
 2 A. Yes.  
 3 Q. Can you remember when you did that?  
 4 A. No, I can't remember exactly, no, sorry.  
 5 Q. How did you decide to monitor the extent of the backlog  
 6 as a KPI?  
 7 A. I think we reviewed that as work in progress KPI.  
 8 Q. Okay.  
 9 A. And number of jobs completed.  
 10 Q. Now, a TMO board meeting took place on 31 March 2016 and  
 11 that can be found at {TMO10044882/9}, item 14. It  
 12 explains there that the KPIs have been reviewed and  
 13 a list of proposed KPIs is included in appendix B.  
 14 If we can go to page 17 {TMO10044882/17}, we'll find  
 15 appendix B, which is confusingly entitled "Appendix 2",  
 16 but nonetheless this sets out the proposed KPIs for  
 17 Repairs Direct.  
 18 Now, does that reflect the work upon which you had  
 19 been involved with Graham Webb?  
 20 A. Yes, those are the sort of standard KPIs that we would  
 21 use to monitor the repairs service — responsive repair  
 22 service.  
 23 Q. Now, we see on the left—hand side, the second box below  
 24 the title "Responsive Repairs: Repairs Direct", it says  
 25 "Average days to complete a responsive repair" was added

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1 as a KPI, and "% of non—emergency repairs completed in  
2 target" was removed. Can you explain the rationale for  
3 that decision?  
4 A. I think at that time the industry standard was to  
5 measure the number of days to complete a responsive  
6 repair, and so that's why that new one was introduced  
7 and felt was a better indicator of the performance of  
8 the organisation.  
9 Q. Given the chronic nature of the issues regarding  
10 a backlog, why was the volume of outstanding repairs not  
11 the subject of a KPI?  
12 A. It will have been in detail within Repairs Direct,  
13 I think. This is just the board—level KPIs.  
14 Q. Can you help us as to why at this stage no KPIs were  
15 concerned with health and safety performance?  
16 A. I think, again, I'd expect that KPI within the  
17 organisation in a more — at a more detailed level, and  
18 what we're looking at here is a board—level overview of  
19 the key KPIs that you'd expect to see to enable you to  
20 understand whether or not Repairs Direct is functioning  
21 as an organisation and performing. And this, I would  
22 say, was at the time very standard for the industry, and  
23 that was my experience of running responsive repairs.  
24 So you wouldn't ordinarily at board level have,  
25 you know, 30, 40 KPIs, it wouldn't be appropriate.

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1 That's the level of detail that you would expect the  
2 teams to be doing.  
3 Q. That's even in circumstances where a backlog of repairs  
4 had been a chronic and long—running issue for both the  
5 TMO and Repairs Direct?  
6 A. The backlog was being discussed in the narrative of the  
7 meeting and it would have flowed through into the  
8 average days to complete a repair.  
9 Q. And there is no KPI here for responsive repair FRA  
10 actions either, is there?  
11 A. Not specifically here.  
12 Q. For the same reason you've given earlier?  
13 A. But the FRA actions were being monitored through the  
14 health and safety committee because that was one of the  
15 key elements of our oversight at that committee. It  
16 just doesn't feature in these board—level indicators.  
17 Q. Did you or Mr Webb consider proposing the number of  
18 incomplete repairs as a KPI?  
19 A. Not — as I said, I don't think — not at this level.  
20 I think that was being measured as part of the WIP and  
21 that would have been looked at closely within the teams,  
22 the Repairs Direct teams.  
23 Q. Is the same reason applicable to a decision not to  
24 specify the age profile of outstanding repairs?  
25 A. Yes, not at this level, that wouldn't have been

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1 appropriate, I don't think, and proportionate at a board  
2 meeting, and I think it was sort of quite widely  
3 recognised in the industry that these are the repairs —  
4 I mean, they were based on HouseMark and benchmarking  
5 information and what other organisations did, and so if  
6 you were to start analysing that level of detail at  
7 board, that would be too detailed a conversation at this  
8 level.  
9 Q. But wouldn't that detail have enabled the board to  
10 scrutinise what was going on at the more operational  
11 level to reduce the backlog? Didn't they need that  
12 level of granular detail?  
13 A. And I think that was reflected in the earlier narrative  
14 in the board minutes where we were talking about WIP and  
15 Paul Woodham was asking questions about it, and so we  
16 were aware of it and we were having those discussions in  
17 the meetings about how to reduce WIP.  
18 Q. Can we now go on to a meeting of the Repairs Direct  
19 board on 15 December 2016, which can be found at  
20 {RBK00059125}.  
21 Now, you gave your apologies. Would you have  
22 received and read a copy of the minutes in due course?  
23 A. I would have received them, yes.  
24 Q. And read them?  
25 A. Yes.

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1 Q. Can we turn to page 2 {RBK00059125/2}, item 5.3. It  
2 says there:  
3 "Work in progress was within target. An aged  
4 analysis of WiP by job profile was AGREED to be brought  
5 to the next meeting. It was confirmed that all jobs  
6 outstanding since before June 2016 would be cleared by  
7 the end of 2016."  
8 Can you help us with why an aged analysis of works  
9 in progress by job profile was requested at this  
10 meeting? Was that as a result of concerns regarding the  
11 backlog?  
12 A. Yes, it would have been, yeah.  
13 Q. If we go now to {RBK00060148}, you see that on  
14 17 January 2017 you were sent a report by Guy Sharma  
15 entitled "Final Report, Repairs Direct — Systems Review"  
16 and a report is attached to that email which we can find  
17 at {RBK00060149/4}. We can see that the outcome was  
18 satisfactory assurance, identified by the green circle  
19 in the top third of the page.  
20 Did you read that report?  
21 A. Yes.  
22 Q. Could we turn to page 9 {RBK00060149/9}. Under the  
23 heading "Performance Management" at the bottom of the  
24 page, we see at paragraph 3.35 it's recorded that:  
25 "RD performance is measured against six Key

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1 Performance Indicators which measure a combination of  
 2 tenant satisfaction, repair quality and void turnaround.  
 3 Audit confirmed that KPI are compiled independently of  
 4 RD by the KCTMO Performance Manager using data provided  
 5 by RD.”  
 6 Now, if we turn over the page to 3.36  
 7 {RBK00060149/10}, it sets out to whom KPIs were  
 8 presented.  
 9 Now, the KPIs being used at this point, is it fair  
 10 to say, didn't capture the full extent of the backlog,  
 11 given what we've already discussed?  
 12 A. I think it's measuring ... it's not necessarily  
 13 measuring — the KPI isn't measuring backlog, it's  
 14 measuring performance of the repairs service in a way  
 15 that we've just seen, so ...  
 16 Q. Did you discuss the backlog with Guy Sharma for the  
 17 purposes of him preparing this audit report?  
 18 A. He would have had more detailed discussions with the MD,  
 19 not myself, on backlog, I don't think, and details of  
 20 that. I wouldn't have discussed that with —  
 21 Q. Again, is it your assumption that those meetings took  
 22 place or can you confirm that they did take place?  
 23 A. Meetings around the audit?  
 24 Q. Yes, between Graham Webb and —  
 25 A. They would have taken place. If this audit — the

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1 auditor would have spoken in detail to the managing  
 2 director and managers within his team on that level of  
 3 detail. I don't think — he wouldn't have spoken to me  
 4 about WIP and how we managed that and KPIs as such.  
 5 Q. Now, can we go to the next Repairs Direct board meeting  
 6 on 8 March 2017, which is at {TMO00862574}.  
 7 Remember, you asked for an analysis by age of works  
 8 in progress. If we go to page 10 {TMO00862574/10}, this  
 9 is an analysis — sorry, if you just decrease it again,  
 10 we see at the bottom of the page it was prepared, it  
 11 would appear, by Mr Webb for the board on 6 March 2017.  
 12 Now, do you remember reading or considering those  
 13 bar charts?  
 14 A. I can't recall it now because it's a long time ago, but  
 15 we would have read it, yes — or I would have read it,  
 16 yes.  
 17 Q. Can you help us with the methodology as to how the data  
 18 was collated. Does each column show the number of  
 19 repairs logged in a given month which had not been  
 20 completed?  
 21 A. I can't — that's a level of detail that would have been  
 22 worked out through the performance team within the TMO  
 23 and the staff within Repairs Direct.  
 24 Q. Okay.  
 25 Now, bearing in mind that answer, can I now turn to

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1 a separate document, which is minutes of a meeting on  
 2 8 March 2017, and that can be found at {TMO00894303}.  
 3 Again, this is a meeting of the Repairs Direct board.  
 4 You attended.  
 5 If we could turn to item 3.4 on page 2  
 6 {TMO00894303/2}, it's recorded that:  
 7 "An aged analysis of WIP was described. It was  
 8 noted that 50% of the works pre-dated 2016. There were  
 9 a number of complex leak repairs. In view of the MD it  
 10 was not an unusual profile for a business like RD. The  
 11 Committee discussed the target WIP and the number of  
 12 jobs this equated to and value. It was noted that the  
 13 automated system would assist, however this was not  
 14 fully complete as there was a coding issue IT were, as  
 15 yet, unable to resolve. It was agreed that this issue  
 16 would be reported back through the MD's report."  
 17 Did you agree with Mr Webb's view that that was not  
 18 an unusual profile for a business like Repairs Direct?  
 19 A. I think I was — I think the board were expecting him to  
 20 have the experience in this area. So the actual level  
 21 of WIP, I think we needed to take his view as MD on  
 22 that. What my experience was, is that it was —  
 23 responsive repairs, as I've said earlier, is a difficult  
 24 area to get right and you'd have a lot of jobs and you'd  
 25 have to work hard at making sure repairs were completed

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1 on time.  
 2 Q. Now, the minute referred to target WIP; can you remember  
 3 what the target WIP was?  
 4 A. I can't remember that now, sorry, no.  
 5 Q. Can you remember whether a target WIP was actually  
 6 agreed at this meeting?  
 7 A. It appears so from the minute.  
 8 Q. But not the detail of it?  
 9 A. No, I can't remember exactly now, sorry.  
 10 Q. Can you remember whether at this stage there was any  
 11 discussion about the need for volume of works in  
 12 progress broken down by age profile to be included as  
 13 a KPI going forward, given the continuing issues?  
 14 A. Well, I think those graphs show how it was broken down  
 15 for this board meeting.  
 16 Q. Was there any discussion about reporting a KPI along  
 17 those lines to the TMO board?  
 18 A. I think there were — if you're talking about the TMO  
 19 board, not Repairs Direct board.  
 20 Q. Yes.  
 21 A. The TMO board would have oversight of the range of  
 22 services. I think it would just be too detailed  
 23 a discussion at board level given that there are five or  
 24 six other service areas that you're looking at. So  
 25 I really think the TMO board would have expected to

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1 delegate that responsibility and that level of detail  
 2 down to the Repairs Direct board and the company itself.  
 3 I think they would have wanted to see the higher level  
 4 performance, not the detail around WIP.  
 5 Q. Now, can I turn to a separate topic, which is the  
 6 Repairs Direct health check audit review after the fire.  
 7 Can we go to {TMO00862541}. Now, this is an agenda for  
 8 a board meeting on 18 January 2018.  
 9 If we go to page 11 {TMO00862541/11}, we can see as  
 10 against "Op05" in the far left—hand column, it's  
 11 recorded:  
 12 "Backlog of repairs dates to January 2017 — total  
 13 number 5,400 jobs."  
 14 Can you help us again as to why there was such  
 15 a substantial backlog of repairs dating from  
 16 January 2017?  
 17 A. I wasn't at the organisation at this point, so I can't  
 18 really comment on that figure there and whether that's  
 19 accurate to my knowledge. This is after I had left the  
 20 TMO.  
 21 Q. This is January 2018. Can you remind me of when you had  
 22 left?  
 23 A. Well, I was off sick at that point, so I wasn't in the  
 24 organisation. I left around February or March, I think,  
 25 from recollection. So I can't say that the analysis

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1 that there were 5,400 jobs in January 2000(sic) is  
 2 accurate or not.  
 3 Q. But if you assume that it was, as this is data recorded  
 4 in the board minute, would you agree that whatever  
 5 measures had been taken to deal with the backlog, those  
 6 measures had been unsuccessful and ineffective?  
 7 A. I think we knew we had a backlog, but I don't think it  
 8 was 5,400 jobs from my recollection at January 2017.  
 9 Q. If we turn further down the page to Op11 at the bottom  
 10 of the page:  
 11 "There is no structured approach to categorising  
 12 repairs into types of repairs (e.g. FRA Actions,  
 13 complaints actions, standard repairs etc.) and as such  
 14 are difficult to manage, monitor or prioritise."  
 15 Given the repeated emphasis on prioritising FRA  
 16 actions that we have reviewed through all the various  
 17 minutes, can you explain this finding?  
 18 A. I'm finding this difficult because I was off sick at  
 19 this point in time, so it's notes of a meeting that  
 20 I wasn't at and I hadn't been at the organisation, so  
 21 it's someone else's view on it.  
 22 I think what I can comment on is that during the  
 23 meetings that I was at, we knew we had to improve FRA  
 24 actions, we had work groups, we had plans to try to  
 25 reduce FRA actions in RD, and the MD was given that task

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1 and that responsibility to make sure he managed it and  
 2 he worked with Janice's team to report back on that, and  
 3 that was the mechanism.  
 4 Q. Now, we will turn, therefore, to a separate topic, which  
 5 is vulnerable residents.  
 6 Can I ask you to turn to the TMO's equality and  
 7 diversity strategy, which is at {RBK00055482/4}. We see  
 8 at subparagraphs 2.5.1 and 2.5.2, it says this:  
 9 "2.5.1. We recognise that information about people  
 10 is often sensitive. However, information about our  
 11 residents is a vital resource in being able to improve  
 12 the way that we deliver our services. It's also  
 13 critical to identifying where there might be barriers  
 14 for our residents in accessing our services or where  
 15 there might be a problem.  
 16 "2.5.2. We are committed to continuously improving  
 17 the quality of the data that we hold ..."  
 18 The document is undated, but it refers on page 8 to  
 19 developing an action plan for 2011/2012, which would  
 20 tend to suggest it was drafted around 2011. If we could  
 21 go to page 8 {RBK00055482/8}, just so you can see that.  
 22 Would 2011 be a likely date for the date it was  
 23 drafted?  
 24 A. It appears so from this.  
 25 Q. Can you remember whether anything was done following

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1 finalisation of that document to collect accurate data  
 2 on disabled or vulnerable residents for the purposes of  
 3 fire safety planning?  
 4 A. I think this was an area of responsibility in the policy  
 5 team, so I'm not sure I can answer that question. This  
 6 was work undertaken through Yvonne Birch's directorate,  
 7 from my recollection, at this time.  
 8 Q. Okay.  
 9 Can I see whether you can help us further with  
 10 another document, which is the supporting residents  
 11 policy, which can be found at {TMO00880481}. As you see  
 12 from the top, "Operational date: April 2016".  
 13 Are you familiar with this document?  
 14 A. Yes, I have seen this.  
 15 Q. Were you involved in any way in the commissioning,  
 16 writing or sign-off of this policy?  
 17 A. No, this was again drafted through Yvonne Birch's policy  
 18 team, with input probably from the housing management  
 19 team and sheltered housing team, so Teresa Brown and  
 20 Hash Chamchoun.  
 21 Q. Are you in a position to assist the panel as to why,  
 22 following the recommendation in 2011 that there should  
 23 be an action plan dealing with equality and diversity,  
 24 nothing had been put in place until 2016?  
 25 A. No, I think this was an area that was covered by the

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1 corporate policy team reporting in to Yvonne Birch.  
 2 Q. Staying on this page, under the section entitled  
 3 "Background" in the third paragraph there, it says this:  
 4 "The Supporting Residents policy is designed to  
 5 ensure that we identify those residents who may need  
 6 additional support, record what support is needed,  
 7 deliver it where we can, and to help ensure that we work  
 8 with any relevant agencies and make referrals to them  
 9 where necessary. It also aims to make sure that in  
 10 an emergency, relevant residents' needs are prioritised  
 11 wherever possible. This document sets out the key aims  
 12 and to enable this to happen. This policy is supported  
 13 by a procedure that sets out in greater detail the steps  
 14 to be taken."  
 15 Would you agree with the proposition that the policy  
 16 requires the TMO to make sure that, in an emergency,  
 17 relevant residents' needs are prioritised wherever  
 18 possible?  
 19 A. Yes, I think it — yes, it says that in terms of  
 20 emergency, yes.  
 21 Q. Now, Barbara Matthews gives evidence about vulnerable  
 22 residents in her second witness statement, and I'll  
 23 bring up the paragraph so you can see precisely what she  
 24 said. The statement can be found at {TMO00873380/13},  
 25 paragraph 51. Paragraph 51 says this:

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1 "I am aware that some elderly or vulnerable  
 2 residents were allocated to general, rather than  
 3 sheltered housing. Where this occurred, information  
 4 about those residents and their vulnerabilities was  
 5 collated by Housing Officers and input onto the TMO's  
 6 databases."  
 7 Now, housing officers fell within the scope of your  
 8 directorate; is that right?  
 9 A. Under the neighbourhood management team, and I would —  
 10 if I could just go back to your previous question, that  
 11 supporting policy, my understanding was not emergencies  
 12 relating to fire safety, that that was dealt with under  
 13 the fire strategy. These are emergencies around housing  
 14 management, tenancy management issues.  
 15 Q. Thank you.  
 16 A. But, yes, it was — housing officers reported in to  
 17 Teresa Brown.  
 18 Q. Who reported to you?  
 19 A. Yeah.  
 20 Q. Is Barbara Matthews right, did housing officers collect  
 21 information regarding residents' vulnerabilities?  
 22 A. I think that where they had discussions with people and  
 23 they were made aware, they would have collated that  
 24 information.  
 25 Q. Can you help us as to on which databases that

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1 information would be stored?  
 2 A. That would have been, to my understanding, Capita, which  
 3 was the main housing management database system.  
 4 Q. Have you heard of personal emergency evacuation plans?  
 5 A. Yes, I have, yeah.  
 6 Q. Did you know if PEEPs had been prepared for residents in  
 7 general needs housing by the TMO?  
 8 A. Not in general needs housing. I knew that we were doing  
 9 them for sheltered housing because it was a different  
 10 ratio of staff to tenants, and it was a supported  
 11 housing, which meant that we would prepare care plans,  
 12 support plans, and that would include emergency  
 13 evacuation. But general needs we did not do PEEPs  
 14 because we had a stay-put policy and that wasn't the  
 15 advice from the fire safety strategy.  
 16 Q. What was your understanding of the public sector  
 17 equality duty?  
 18 A. Well, my understanding of that is that you have  
 19 a responsibility for the management and safe — general  
 20 wellbeing of residents.  
 21 Q. And how did it apply to your portfolio of  
 22 responsibilities?  
 23 A. I think my portfolio was broad, as you know, but I did  
 24 my utmost to try to make sure that all of the teams  
 25 understood their responsibilities around supporting our

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1 residents in various different ways, and they were  
 2 different depending on the different role that they  
 3 undertook within the organisation.  
 4 Q. Thank you.  
 5 Now, I want to turn to a very separate and distinct  
 6 topic, which is the decision to tender for the  
 7 refurbishment.  
 8 Now, you exhibit an operations committee report for  
 9 the meeting on 31 January 2013 at paragraph 50 of your  
 10 witness statement. We can go back to that paragraph,  
 11 which can be found at {TMO00000893/9}.  
 12 If we turn over the page {TMO00000893/10}, at  
 13 paragraph 51 you say this:  
 14 "As stated above, the lead building contractor for  
 15 the project was initially going to be a company called  
 16 Leadbitter Group, who had been used by the RBKC to build  
 17 the Kensington Academy and Leisure Centre. However the  
 18 cost estimate produced by Leadbitters for the project  
 19 was higher than anticipated and there were some concerns  
 20 as to their expertise."  
 21 Now, can we look at the section on Grenfell in the  
 22 report you prepared, which is at {TMO10001974/3}.  
 23 Looking at item 6, there is no reference there to  
 24 concerns about Leadbitter's experience. Can you explain  
 25 why not?

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1 A. Which meeting was this? Sorry.  
 2 Q. If we can go back to the start {TMO10001974/1}.  
 3 A. Operations ...  
 4 Q. So operations committee, January 2013.  
 5 A. Yeah.  
 6 Q. Okay. So if we go back to page 3 {TMO10001974/3},  
 7 item 6.  
 8 A. Yeah.  
 9 Q. Now, there is no reference there to concerns about  
 10 Leadbitter's expertise. Can you explain why not?  
 11 A. No, I can't explain why that wasn't minuted, but clearly  
 12 that was an item for discussion.  
 13 Q. Okay. Let's briefly go to the minutes of the relevant  
 14 meeting, which is at {TMO10002631/2}. We see at the top  
 15 of the page:  
 16 "SJ updated the Committee on the Grenfell Tower  
 17 regeneration project. Principal contractor Leadbitter,  
 18 advised that costs are likely to be higher than the  
 19 initially thought £8.5 million, this matter is in the  
 20 process of being resolved and the Committee will be kept  
 21 updated about further developments."  
 22 Now, you can see that there is no verbal update  
 23 about Leadbitter's lack of expertise there. Can you  
 24 help us as to why that wasn't raised?  
 25 A. I can't, and I can only say that that must have been

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1 an oversight.  
 2 Q. Can we now go to an executive team meeting on  
 3 4 March 2013, and the minutes are at {TMO10003105}. If  
 4 we look at item 1.5 headed "Grenfell Tower":  
 5 "We expected to have a position on the way forward  
 6 by the end of March, and Sacha Jevans would oversee  
 7 progress because of the reputational risks with the  
 8 Board and RBKC. Peter Maddison had prepared two  
 9 versions of the capital programme for 2013/14, one of  
 10 which included Grenfell Tower, and the other excluded  
 11 the project, which would be discussed with  
 12 Steve Mellor."  
 13 Can you remember now what the reputational risks to  
 14 the TMO were about which the executive team were  
 15 concerned?  
 16 A. I think it was a large project and it was the first of  
 17 this nature for the TMO. The council were keen for us  
 18 to complete it, and we wanted to make sure that we got  
 19 it right, and obviously, you know, it was a challenging  
 20 project so it needed oversight.  
 21 Q. Was that the same reason for fearing reputational risks  
 22 to RBKC?  
 23 A. I think both RBKC and the TMO jointly recognised that  
 24 this was a big project and wanted oversight of that.  
 25 Q. Now, that minute indicates that you appear to have been

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1 given a more formal role, namely to oversee progress; is  
 2 that right?  
 3 A. I think the role that Mr Black wanted me to take was in  
 4 the communication role, and certainly we all had  
 5 oversight of the project in more detail through the  
 6 programme board.  
 7 Q. Did your involvement in the project change beyond this  
 8 point to include communications more formally?  
 9 A. I think Robert Black — sorry, he wanted me to make sure  
 10 that that communication — and just the oversight, the  
 11 general oversight, given that Peter Maddison reported in  
 12 to me, but I think we recognised as an executive team,  
 13 because it was an important project, that we would  
 14 collectively monitor that at programme board.  
 15 Q. Can I now turn on to a separate topic, which is the  
 16 decision to appoint Rydon.  
 17 Before the Grenfell Tower refurbishment project, had  
 18 you done many, or indeed any, public procurement  
 19 exercises?  
 20 A. In my previous roles I had been involved in  
 21 procurements, yes.  
 22 Q. Would you say that in 2013/14 you were familiar with the  
 23 obligations imposed under the procurement rules?  
 24 A. I understood the principles of procurement. What  
 25 I would say is in my previous role as managing director

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1 at Hyde, I again had a technical team that would have  
 2 undertook that role. So that was my previous  
 3 involvement directly before the TMO, but again it would  
 4 have been done through the technical team.  
 5 So my understanding are the general principles of  
 6 public sector procurement, I would say.  
 7 Q. And that would include, presumably, the requirement that  
 8 all bidders are treated equally?  
 9 A. Yes, absolutely, yes.  
 10 Q. In his evidence to the Inquiry, Steve Blake of Rydon  
 11 said that he had known you and Peter Maddison from your  
 12 days at Hyde Housing; is that right?  
 13 A. I — certainly at Hyde Housing, Rydons were doing work  
 14 for Hyde, it was a big group, and so I had met Rydons  
 15 through my work at Hyde Southbank Homes, but I don't  
 16 recall meeting Steve Black at that point — I think  
 17 I met Steve — Blake or Black?  
 18 Q. Blake?  
 19 A. Blake — at the work through the TMO.  
 20 Q. Did you know Peter Maddison during your time at Hyde?  
 21 A. Yes, I did.  
 22 Q. For how long did you work together there?  
 23 A. Peter Maddison — it was a very large group, the  
 24 Hyde Group, so we crossed over for about a year on the  
 25 same management team.

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1 Q. Now, Stephen Blake suggested that you would meet at  
2 conferences from time to time, for example an annual  
3 housing forum at Brighton; would you agree with that?  
4 A. Yes, I would. The annual housing conference at Brighton  
5 was one of the conferences that most people in the  
6 sector, certainly in the south of England, would go to,  
7 and I probably went to it a number of times over  
8 a ten-year period, but —  
9 Q. Would you go to a similar conference in Manchester as  
10 well?  
11 A. Sometimes I do go to that one as well, yes.  
12 Q. Is it likely that you met Stephen Blake in either  
13 Brighton or Manchester?  
14 A. It could have been, yes.  
15 Q. Well, did you? Are you able to —  
16 A. Yes, I would have done over a period of time, yes.  
17 Q. Would you also have met Jeff Henton of Rydon at either  
18 or both of those conferences?  
19 A. Yes.  
20 Q. Did you work with either gentleman on any other projects  
21 other than Grenfell?  
22 A. Well, Jeff Henton was working on a refurbishment project  
23 at Hyde Southbank Homes. So I think when I joined as  
24 managing director that project was coming to an end, so  
25 I'm not sure I worked directly with Jeff.

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1 Q. Do you recall specifically meeting Stephen Blake and  
2 Jeff Henton at a conference in Brighton that was held  
3 between 4 and 6 March 2014?  
4 A. I can't remember whether that's one of my — the years  
5 that I went, I'm afraid, it's just too long ago.  
6 Q. Can we go to an email from Stephen Blake to Tim Shutler  
7 and Jeff Henton at Rydon on 6 March 2013, which is at  
8 {RYD00086648}. He says in the first paragraph:  
9 "At the Housing conference we had meetings with  
10 senior representatives from K+C and my opinion is that  
11 in the event that we were the [successful] contractor  
12 they would have no issue signing up to a form of  
13 documentation as we suggest."  
14 Then moving down to the third paragraph:  
15 "We have been informally advised that we are in pole  
16 position — ours to lose."  
17 Now, it appears that someone told Stephen Blake that  
18 information at the housing conference; would you agree?  
19 A. It wasn't me, no.  
20 Q. Do you know who it was?  
21 A. I don't, no.  
22 Q. Now, can we move to a separate topic, which relates to  
23 residents' concerns.  
24 Could I ask for a document to be turned up,  
25 reference {TMO00840302}.

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1 Now, on 14 December 2015, you attended a meeting  
2 arranged by Grenfell Compact with Victoria Borwick MP,  
3 Councillor Blakeman, Peter Maddison, and looking at the  
4 headings on a note from that meeting, there were four  
5 issues raised, and I'll summarise them for you rather  
6 than take you through the document: the location and/or  
7 relocation of heating interface units; secondly,  
8 an independent investigation into what had gone wrong,  
9 including the effectiveness of the complaints procedure;  
10 thirdly, the state of the building and making everything  
11 good at the end of the process; and, fourthly,  
12 compensation for residents who had spent their own money  
13 making works good in their own homes.  
14 Now, is it right that you hadn't previously attended  
15 any meetings with Grenfell Compact before this one?  
16 A. Yes, this is the first one that I attended, yes.  
17 Q. Had you been aware of those concerns before you attended  
18 the meeting?  
19 A. Sorry, I can only see the first one, I can't remember  
20 all —  
21 Q. Well, I summarised them for you.  
22 A. Yes, I understand that. So the one — the location and  
23 relocation of the HIUs, I know that that was an issue.  
24 Sorry, I can't recall the other ones.  
25 Q. If we go to the other ones, if we can scroll down, there

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1 you go, independent investigation into what had gone  
2 wrong, including effectiveness of the complaints  
3 procedure.  
4 A. Yes. Yes.  
5 Q. Scrolling down, state of the building, were you familiar  
6 with those?  
7 A. Not the state of the — I don't think — it's quite  
8 a broad one, so ...  
9 Q. That's not something you were previously aware of?  
10 A. Not — no, no, no.  
11 Q. Finally, compensation.  
12 A. Yes.  
13 Q. You were aware of that?  
14 A. Yeah.  
15 Q. At this stage, bearing in mind what had been said during  
16 the course of this meeting with Grenfell Compact, did  
17 you have any concerns or doubts about the way in which  
18 Peter Maddison and/or Claire Williams had managed the  
19 refurbishment project?  
20 A. I think it was — I think we knew that it had been  
21 challenging in terms of resident communication with the  
22 project, and that the team had worked hard on  
23 a number — trying to find a number of different ways to  
24 communicate effectively with residents, and I think that  
25 had been very difficult and we understood that, and we

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1 were trying very much to connect with residents and make  
 2 sure that we dealt with their issues of concern.  
 3 Q. What specific measures did you initiate following this  
 4 meeting in an effort to improve relations between the  
 5 TMO and the residents at Grenfell?  
 6 A. Well, I went to this meeting and we heard the feeling  
 7 and the complaints, and so I said: right, we're going to  
 8 door—knock everybody in Grenfell Tower and really try  
 9 and find out directly from every resident or as many as  
 10 we could get access to and views from to really hear  
 11 their views directly, and I felt very strongly about  
 12 that and that we would do that, so I instigated that  
 13 door—knocking exercise as an outcome of this meeting.  
 14 We did that with the housing management team, the local  
 15 housing management team, and I took part in that  
 16 door—knocking exercise myself, because I wanted to be  
 17 part of that.  
 18 I do recall that I did — one of the people that  
 19 I did door—knock was Mr Daffarn, and I had a detailed  
 20 discussion with him about trying to engage more  
 21 productively and effectively with the tenant compact,  
 22 and we had a discussion about that.  
 23 Q. Did it cause you to change your views regarding the  
 24 effectiveness of the TMO's relationship with tenants,  
 25 having heard directly from them as a result of the

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1 door—knocking exercise?  
 2 A. I think what I would say is that obviously  
 3 I door—knocked a few people in that, but if you looked  
 4 at the results of it, it didn't seem to say the same as  
 5 what the Grenfell Action Group were saying, so it seemed  
 6 inconsistent, and that actually when you door—knocked,  
 7 most people did seem to be happy with the works, they  
 8 understood there was a lot of disruption in this type of  
 9 work, but it did seem to be at variance to the other  
 10 view that was being presented.  
 11 Q. So you heard nothing that caused you to change your  
 12 view?  
 13 A. No, not in that door—knocking exercise.  
 14 Q. Just one final question, sir, before maybe the afternoon  
 15 break, with your permission.  
 16 On a second point, an internal investigation, it's  
 17 minuted on page 3 {TMO00840302/3} that Peter Maddison  
 18 said that the costs of an independent investigation  
 19 would have to come out of the contract price, and on  
 20 page 4 {TMO00840302/4} we can see that there was  
 21 a request for someone independent of the council and the  
 22 TMO to investigate the refurbishment.  
 23 Now, did you have a particular view on the merits of  
 24 instructing an independent person to investigate the  
 25 complaints?

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1 A. I don't recall this particular discussion, but I think  
 2 we had a complaints process in place and that was usual  
 3 for most organisations, that you would use that  
 4 mechanism. You wouldn't always go independently outside  
 5 of that until such point as you got to the ombudsman  
 6 level in the complaints procedure. So I think it would  
 7 have been unusual, really.  
 8 Q. Did you tentatively discuss with Peter Maddison the  
 9 possibility of giving some budgetary support to  
 10 an independent investigation of complaints?  
 11 A. I personally can't remember a discussion around this  
 12 matter and an independent person, I'm afraid, I'm sorry.  
 13 MR KINNIER: Okay.  
 14 Sir, subject to your view, that's probably as good  
 15 a place as any for a mid—afternoon break.  
 16 SIR MARTIN MOORE—BICK: Yes. Just give us a little bit of  
 17 help: have you any idea how much longer you will want to  
 18 be with this witness?  
 19 MR KINNIER: Of my prepared questions, no more than  
 20 20 minutes.  
 21 SIR MARTIN MOORE—BICK: I think in that case we shall have  
 22 a break now.  
 23 I think we ought to have a break at this point,  
 24 Ms Jevans, so we will stop now. We'll return at 3.40,  
 25 please, and again, please don't talk to anyone about

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1 your evidence while you're away. All right?  
 2 THE WITNESS: Okay, thank you.  
 3 SIR MARTIN MOORE—BICK: Thank you very much.  
 4 (Pause)  
 5 Right, 3.40, then, please.  
 6 MR KINNIER: Thank you, sir.  
 7 SIR MARTIN MOORE—BICK: Thank you.  
 8 (3.23 pm)  
 9 (A short break)  
 10 (3.40 pm)  
 11 SIR MARTIN MOORE—BICK: All right, ready to carry on,  
 12 Ms Jevans?  
 13 THE WITNESS: Yes.  
 14 SIR MARTIN MOORE—BICK: Yes, Mr Kinnier.  
 15 MR KINNIER: Thank you, sir.  
 16 Ms Jevans, can we go to {RBK00032130}. We will see  
 17 that on 6 January 2016 a petition was received, signed  
 18 by 60 residents of Grenfell Tower, discussed at the  
 19 housing and property scrutiny committee.  
 20 Now, you attended that with other TMO officers.  
 21 Were you concerned to note that 60 residents had signed  
 22 this petition?  
 23 A. Yes, it did seem like a lot of residents.  
 24 Q. And were you aware of petitions or complaints containing  
 25 that number of signatories from any other blocks or

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1 estates managed by the TMO?

2 A. We did get petitions from other blocks, I can't recall

3 exactly now, but it would be something that we would get

4 in the course of our management on occasions, and that

5 was not unusual across my experience across social

6 housing and other organisations either.

7 Q. With as many as 60 signatories?

8 A. I can't recall the numbers, but sometimes significant,

9 and I know that in my previous roles I had received

10 petitions that would have around that number, yes.

11 Q. Did the fact of the petition and the number of

12 signatories cause you to evaluate whether the TMO was

13 adopting the right approach to responding to residents'

14 concerns at Grenfell?

15 A. I think at the time of this meeting I had done the

16 door-knocking exercise that we were just talking about.

17 Q. Yes.

18 A. So I think that having personally got involved in that

19 door-knocking and looking at our evaluation of those

20 results of that exercise, it did seem at odds with this,

21 and so I feel that, you know, we had tried to

22 investigate through that process prior to this meeting.

23 Q. If we can turn to page 5 {RBK00032130/5} in this

24 document, probably the most useful paragraph is the one

25 just above the new heading for A5:

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1 "... the Chairman agreed that a Working Group would

2 be commissioned at some point in the future but that

3 this was dependant on a number of factors including the

4 conclusion of existing Working Groups and the review

5 work conducted by the TMO."

6 Now, can you remember, did the TMO carry out

7 a review of its complaints procedure, or at least the

8 application of its complaints procedure in relation to

9 the matters raised by Grenfell residents?

10 A. We did a review of the project and the board led that,

11 a small working group of the board led that.

12 In terms of a review of the complaints procedure,

13 I think that was something — I can't specifically

14 recall, but it would have been in the remit of

15 Yvonne Birch, executive director of people and

16 performance, who managed the complaints area.

17 Q. Can you remember whether there was any further review by

18 RBKC conducted into the handling of complaints made by

19 Grenfell residents?

20 A. I can't remember. I mean, Laura Johnson and the team

21 were aware of complaints, and through this housing

22 scrutiny committee they had agreed a working group, but

23 whether that was commissioned is — I can't recall and

24 is a point for RBKC, I think.

25 Q. Now, can I turn to a very separate and distinct, to

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1 an extent, topic, which is gas works.

2 In your statement from pages 18 to 19

3 {TMO00000893/18–19}, paragraphs 100 to 106, you

4 described your recollection of complaints concerning gas

5 works, and GTLA emailed the TMO in March 2017 raising

6 concerns about how they would escape in the event of

7 a fire after the gas pipe was installed in the stair.

8 If we go to {TMO10046608}, we can see in the top

9 part of that page that you emailed Janice Wray on

10 8 March 2017 and said:

11 "This has gone to complaints and assets will be

12 dealing with it. Peter mentioned that Karl[sic] has

13 done an assessment for us? Have you had sight of this

14 and are you comfortable that this is a National Grid

15 liability."

16 Why did you not ask for evidence about how the risk

17 to residents was being assessed and managed during the

18 works?

19 A. I mean, I think I've written this email, but I think

20 that that advice should have come back from either the

21 health and safety team or the contracts team and I was

22 seeking a view on that. So I haven't specifically

23 written it in this email, but I think it's implicit in

24 all the work that we do that we try to understand the

25 impact.

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1 Q. Did you consider that there was any or any specific risk

2 to residents arising from the gas works?

3 A. I think we were all concerned about these gas works that

4 National Grid were trying to do, and that's why there

5 was a lot of correspondence between Peter's team and

6 National Grid and Janice's team on how best to manage

7 it.

8 Q. Were you satisfied at the end that any risks arising had

9 been satisfactorily managed?

10 A. Well, I think this is — I'm relying on the assessment

11 by Carl Stokes, who is our expert in this matter, and

12 I think that's what I was seeking here, clarification

13 from Janice.

14 Q. Now, can we go to {TMO00846916}, which is a further

15 email from you on 28 March 2017.

16 If we go on to page 2 {TMO00846916/2}, I won't go

17 through it all, but effectively you declined the request

18 to instruct or fund an independent adjudicator. You

19 also said that your fire safety consultant had inspected

20 the National Grid proposals and all issues he raised

21 have been addressed.

22 First of all, why did you decline to appoint

23 an independent inspector to check the gas pipes?

24 A. I think we felt that the — or I felt that the fire risk

25 assessor was the adequately and appropriately qualified

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1 professional to make that assessment on behalf of the  
 2 TMO and so that would have been the normal route that  
 3 you'd follow in investigating this type of complaint.  
 4 Q. Did you yourself consider how works on a gas riser might  
 5 affect the evacuation plan for residents in the event of  
 6 a fire?  
 7 A. I mean, I would say that this is quite a technical  
 8 point, and I think that that technical expertise was  
 9 elsewhere in the organisation. From my perspective,  
 10 absolutely, we were concerned that National Grid were  
 11 doing these works and that they do them properly, and we  
 12 were struggling with the authority over that process,  
 13 really.  
 14 Q. Did you ask whether health and safety or anyone else had  
 15 considered whether the evacuation plan had to be altered  
 16 or at least considered in light of the gas works?  
 17 A. I was expecting Carl Stokes to be making that assessment  
 18 on behalf of the TMO for us and advising accordingly.  
 19 Q. Did you seek express confirmation that he had done so,  
 20 in relation to an evacuation plan?  
 21 A. Not specifically in those words, but I did seek in that  
 22 email with Janice to say — to ask her if she is  
 23 comfortable with the fire risk assessor's view on this  
 24 issue.  
 25 Q. So is it fair to say that if she'd advised that any

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1 interim measures were required to mitigate any risks  
 2 arising from the gas works, you would have expected her  
 3 to have implemented those interim measures?  
 4 A. Absolutely, yeah if there was guidance then we would  
 5 have done what was needed to have been done.  
 6 Q. Now, you mentioned Carl Stokes there. If I can go  
 7 somewhat back in time, and apologies for doing so, to  
 8 his appointment.  
 9 Now, you approved his initial appointment to carry  
 10 out fire risk assessments on your low-risk properties,  
 11 and you signed the statement with Mr Stokes on  
 12 24 August 2011. Would you like me to show you that  
 13 document, or are you ...?  
 14 A. It's okay.  
 15 Q. That decision appears to have been made without any form  
 16 of competitive tendering. Does that accord with your  
 17 recollection?  
 18 A. I can't recall that process, and I think it was shortly  
 19 after I joined the TMO. So I understood that the  
 20 procurement was undertaken through Janice Wray's team,  
 21 so I can't recall the details of how that went and how  
 22 that was undertaken, sorry.  
 23 Q. Now, he later started to produce fire risk assessments  
 24 for all high-risk properties but there was no written  
 25 contract for that work.

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1 Can you help us as to why no further written  
 2 contract was entered into with Mr Stokes for carrying  
 3 out FRAs in relation to high-risk properties?  
 4 A. No, I'm sorry, that procurement piece and management was  
 5 undertaken by the health and safety team, so I just  
 6 wouldn't have got involved particularly in that level of  
 7 detail, or it wouldn't have been my area of  
 8 responsibility.  
 9 Q. You were simply the signatory and your involvement was  
 10 limited to that?  
 11 A. Yes, and it could have been that I was the signatory  
 12 because, in terms of levels of delegation, sometimes you  
 13 would need an executive director to sign a document of  
 14 that nature, potentially on behalf of a colleague,  
 15 Anthony Parkes.  
 16 Q. Would you have considered it to have been best practice  
 17 for the terms of Mr Stokes' retainer to be confirmed in  
 18 writing?  
 19 A. I would have expected that the team procuring a contract  
 20 would have done that work, and that would have been my  
 21 expectation.  
 22 Q. And equally, would it have been your expectation that  
 23 a competitive tendering exercise would have been carried  
 24 out to appoint a fire risk assessor for the high-risk  
 25 properties?

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1 A. Yes, I think any time that we appointed a consultant or  
 2 a contractor over a certain level of value, you'd expect  
 3 a competitive process.  
 4 Q. Would you have left it to Janice Wray to have satisfied  
 5 herself as to Mr Stokes' competence and qualifications  
 6 to carry out FRAs on high-risk properties?  
 7 A. I would have done, but Janice would have had the support  
 8 of her line manager, Anthony Parkes, so I would have  
 9 expected him to help support Janice in that and have  
 10 oversight of that process.  
 11 Q. Who was primarily responsible for ensuring that there  
 12 was a written contract in place in relation to the  
 13 high-risk FRAs? Would that have been Janice Wray or  
 14 Anthony Parkes at the time?  
 15 A. I think as exec director he would need to have overseen  
 16 that, and how he delegated that function to Janice would  
 17 have been a matter for Anthony Parkes.  
 18 Q. Can I now go back also to just some questions concerning  
 19 Mr Webb.  
 20 Is it right that he had been previously employed by  
 21 Morrison?  
 22 A. He may have done, yes.  
 23 Q. Were you aware of any concerns or apprehensions  
 24 regarding Mr Webb or his competence before he was  
 25 appointed MD of Repairs Direct?

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1 A. No, he came with a very good CV and he went through  
2 a vigorous interview process. And Morrisons is  
3 a national company. He worked for a number of different  
4 repairs contractors at points in his career, so it  
5 wasn't unusual. He was never part of the TMO contract.  
6 Q. Does it flow from that that you didn't have any  
7 interaction with him whilst Morrisons were contracted?  
8 A. Yeah, no, none at all, no.  
9 Q. What was your role in the recruitment of Mr Webb, if  
10 any?  
11 A. I can't recall. I think I would have been on the  
12 interview panel.  
13 Q. Do you remember anything in particular regarding  
14 Mr Webb's qualifications or expertise that caused the  
15 appointment panel any doubt regarding his suitability  
16 for appointment?  
17 A. No, not at all. He had a really strong background in  
18 responsive repairs, and I think — and also a good  
19 understanding — commercial awareness, and so these were  
20 really key skills for running this type of business,  
21 which was challenging.  
22 MR KINNIER: Ms Jevans, we have come to the end of my  
23 prepared questions. It's usual for there to be a small  
24 pause where I can consider whether there is any that  
25 I should have asked and have not done so.

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1 Sir, might I ask for the usual 15 minutes?  
2 SIR MARTIN MOORE—BICK: Yes.  
3 Well, as counsel has said, we always have to have  
4 a break at this point to enable him to check that he has  
5 asked all the questions he should have done, and also to  
6 see whether there are questions from others who are not  
7 in the room that we ought to put to you.  
8 So we'll have a break now. We'll come back at 4.15,  
9 and then we will see if there are any further questions  
10 for you then.  
11 THE WITNESS: Okay, thank you.  
12 SIR MARTIN MOORE—BICK: All right? Thank you very much.  
13 (Pause)  
14 I have been rather generous, Mr Kinnier, I said  
15 4.15, but there you are. I've said it, so that's what  
16 it's going to be.  
17 MR KINNIER: So be it.  
18 SIR MARTIN MOORE—BICK: Thank you.  
19 (3.55 pm)  
20 (A short break)  
21 (4.15 pm)  
22 SIR MARTIN MOORE—BICK: Right, Ms Jevans, we will see if  
23 there are any more questions we need to ask you.  
24 Yes, Mr Kinnier.  
25 MR KINNIER: Thank you, sir, just two.

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1 The first question relates to your role involving  
2 communications during the refurbishment project.  
3 Could I clarify, did Mr Black ask you to get further  
4 involved in communications? Is that communications  
5 internal to the TMO or was it communications with the  
6 residents of Grenfell Tower?  
7 A. No, it was more the oversight of the plan for the TMO to  
8 make sure that it was implemented. So not directly.  
9 Not the direct communication with the residents, I think  
10 it was more the oversight of the plan and making sure  
11 that what we were doing was right.  
12 Q. Thank you.  
13 Now, my final question: is there anything you would  
14 like to say to the panel that you haven't had the  
15 opportunity to express in answers to my questions today?  
16 A. I just want to say how devastating the tragic loss of  
17 life is and always will be, and I hope that lessons are  
18 learned, and that changes are made so it never happens  
19 again. Thank you.  
20 MR KINNIER: Ms Jevans, thank you.  
21 Sir, I have no further questions.  
22 SIR MARTIN MOORE—BICK: Thank you very much.  
23 Well, Ms Jevans, it only remains for me to thank you  
24 very much indeed on behalf of all three of us for coming  
25 today to give your evidence. I'm very glad that we

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1 managed to finish your evidence today, as I'm sure you  
2 are. It's been really helpful to hear from you, and we  
3 have really benefitted from that, so thank you very  
4 much. And now, of course, you're free to go.  
5 THE WITNESS: Thank you.  
6 (The witness withdrew)  
7 SIR MARTIN MOORE—BICK: Well, thank you very much,  
8 Mr Kinnier.  
9 MR KINNIER: Thank you, sir.  
10 SIR MARTIN MOORE—BICK: That's it for today, I think.  
11 MR KINNIER: That concludes the evidence for today, sir.  
12 Tomorrow we will start with the evidence of  
13 Laura Johnson, who will be examined by Mr Millett.  
14 SIR MARTIN MOORE—BICK: Good, thank you very much.  
15 So we break there and resume at 10 o'clock tomorrow,  
16 please.  
17 MR KINNIER: Thank you, sir.  
18 SIR MARTIN MOORE—BICK: Thank you.  
19 (4.20 pm)  
20 (The hearing adjourned until 10 am  
21 on Tuesday, 11 May 2021)  
22  
23  
24  
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