

Update to Plenary - March 2017

CCWG - WS2 Staff Accountability: 3 March 2017

This document: https://docs.google.com/document/d/1LMEGfTr1Fkn6o0A_RE-eJdsydVlhWASA4lsugcHsNro/edit?usp=sharing

Introduction

This paper sets out some issues and seeks CCWG plenary input and feedback on two key questions or areas with respect to the work of the Staff Accountability subgroup:

- How can our subgroup “work with ICANN” more effectively to complete this task?
- Should the subgroup change our work to focus on documenting problems and solutions regarding staff accountability, compared with the more formulaic task set out in our WS1 Report?

Background

The Staff Accountability task as set out in WS1’s Annex 12 was:

15 Having reviewed and inventoried the existing mechanisms related to staff accountability, areas for improvement include clarifying expectations from staff, as well as establishing appropriate redress mechanisms. The CCWG-Accountability recommends as part of its Work Stream 2:

- *The CCWG-Accountability work with ICANN to develop a document that clearly describes the role of ICANN staff vis-à-vis the ICANN Board and the ICANN community. This document should include a general description of the powers vested in ICANN staff by the ICANN Board of Directors that need, and do not need, approval of the ICANN Board of Directors.*
- *The CCWG-Accountability work with ICANN to consider a Code of Conduct, transparency criteria, training, and key performance indicators to be followed by staff in relation to their interactions with all stakeholders, establish regular independent (internal and community) surveys and audits to track progress and identify areas that need improvement, and establish appropriate processes to escalate issues that enable both community and staff members to raise issues. This work should be linked closely with the Ombudsman enhancement item of Work Stream 2.*

The sub-group is currently drafting documents that correspond its understanding of the requirements for staff accountability from Recommendation 12. These are not yet consensus documents of the sub-group but are provided as reference to the questions we are posing to the plenary.

[Doc A](#) - describing roles, powers, relationships and some draft recommendations

[Doc B](#) - looking at processes already in place and will recommend changes

Although there is no expectation that readers review these documents in the sub-group would appreciate any comments provided by the participants.

Issue 1: The Challenge of Working Effectively with ICANN

The way that the Staff Accountability group is working with ICANN needs to change:

- Much of the information required has now been provided, but this took until February 2017 to arrive (the requirement was clear in March 2016 when WS2 was signed off, and was reiterated in June 2016 at the Helsinki meeting).
- A “back and forth” of sharing documents between some staff and the group mandated to “Work Together” is both slow and ineffective. It does not allow the kind of shared understanding and thinking that could improve the work in material terms.
- Challenging but useful feedback from a Board liaison was received very late - only this week. Are board liaisons being asked to do too much? How can we get Board input sooner?

We raise these for the CCWG to consider with this question, both to the group, and to the ICANN Board and Chief Executive:

How can we “work with ICANN” more effectively to complete this task?

Could there be a joint working group of Staff Acct volunteers, appropriate senior staff and CCWG leadership to work through the issues?

Issue 2: Adjusting the scope of the work

There are concerns within the group about whether the approach taken in our work so far:

- Truly meets the recommendations from the WS1 report
- Duplicates or re-does work already completed in WS1
- In some ways “misses the point” of surfacing and dealing with concerns about staff accountability.

Reviewing the working drafts linked above will show comments indicating the issues.

We could change our work to a slightly different focus, one that’s probably substantively consistent with the WS1 report but is described and focused a bit differently:

- **Document or summarise** the very specific things set out in the chartering text
- **State the problems** with staff accountability that have been identified by the community through the CCWG. Some examples of the issues that have been raised

so far (for illustrative purposes only - these are not consensus points)

- There's no forum in which people can safely raise and work through concerns about staff accountability or performance
 - Staff are seen as crossing the line from policy "implementation" to policy "development / decision" and there is no way to address that
 - There are concerns that the overall culture of the ICANN staff is less focused on supporting the community's work in policy development than it should be
 - There's no institutionalised route for community feedback to be included in staff performance and accountability systems.
- **Proposes solutions** to resolve those problems or mechanisms that could resolve them as they arise from time to time

That would seem to be a **more useful** contribution to an overall goal of improving staff accountability than the current approach of literally following the WS1 guidance.

- **Should the subgroup change our work to focus on documenting problems and solutions regarding staff accountability, compared with the more formulaic task set out in our WS1 Report?**

We look forward to the discussion with the CCWG in Copenhagen on these points.

Jordan Carter & Avri Doria

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Cross Community Working Group on Enhancing ICANN Accountability

Attached: Current Draft of Doc A (which reveals the tensions noted above)