The ICANN GNSO "Business Constituency"

Comment on Draft Recommendations to Improve ICANN's Staff Accountability

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Business Constituency Submission

GNSO//CSG//BC

Background

This document is the response of the ICANN Business Constituency (BC), from the perspective of business users and registrants, as defined in our Charter:

> The mission of the Business Constituency is to ensure that ICANN policy positions are consistent with the development of an Internet that:
>
> 1. promotes end-user confidence because it is a safe place to conduct business
> 2. is competitive in the supply of registry and registrar and related services
> 3. is technically stable, secure and reliable.

BC Comments on Draft Recommendations to Improve ICANN's Staff Accountability

The BC appreciates the opportunity to comment on the Cross Community Working Group's on Enhancing ICANN Accountability ("CCWG-Accountability'") Staff Accountability Draft Recommendations ("Recommendations")[1].

The draft report consists of several recommendations, briefly summarized below:

- Address the lack of transparency about existing accountability mechanisms by publishing additional information about performance management, goal setting, and key accountability-related roles within the organization;

- Provide the community with input mechanisms into staff performance evaluations;

- Create a regular feedback mechanism by which the community can provide input about ICANN's overall accountability;

- Establish expectations regarding timing and substance for regular interactions with the community including public comment reports, correspondence, and other requests;

- Explore a mechanism for complex issues that may require coordination across a number of accountability-related offices such as the ombudsman, the complaints officer, and the Empowered community; and

- Publish clearer service level targets for services that ICANN provides to registries and registrars and the broader ICANN stakeholder community.

We support the reasoned approach taken by the Working Group in addressing staff accountability in terms of broad concerns and service delivery and organizational and departmental accountability objectives, without scrutinizing individual personnel or specific incidents. We believe that the recommendations adopted as part of this work track must be similarly balanced to provide the ICANN community with reasonable accountability and transparency improvements, while allowing ICANN to operate efficiently as an organization and its staff to perform their roles comfortably and confidently.

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[1] ICANN Comment page at https://www.icann.org/public-comments/accountability-recs-2017-11-13-en

We strongly support the recommendations made to improve transparency regarding staff expectations and existing accountability mechanisms, particularly with respect to organizational and departmental goal setting and service level targets for regular processes and interactions with the community.

To ensure they are not counterproductive, the establishment of service level targets must be focused on delivery of outcomes to the community and should not be padded with additional process or opportunity for delay. For example, timelines for responding to community correspondence should not be taken to refer to an interim template acknowledgement of the correspondence, but rather a substantive response that takes into account the concerns raised by the particular constituency or stakeholder group.

Care must also be exercised so that service level targets are not set in such a way that diminishes the quality of important work being carried out by ICANN staff. For example, public comment summaries vary greatly both in terms of breadth and quality of analysis and timeline for delivery, which generally have a target date of two weeks from the close of the comment period. These published deadlines have occasionally been noted as a reason for the perceived decline in quality of some comment summaries. In many cases the value of high-quality summaries outweighs that of strict adherence to the 2-week SLA.

Similarly, if ICANN's compliance service level targets solely on ticket volume and timeline of closure, staff members might be incentivized to focus only on the simplest issues that could easily be resolved by deadline and ignore more complex issues that required longer resolution time, but for which resolution may be more beneficial to the community. An approach that provides some flexibility so that issues that are the most complex or controversial can still be addressed on a reasonable timeframe, provided reasonable transparency about the modified targets and their rationale, may help ensure that timeliness and quality are appropriately balanced against each other in service delivery.

Service to the community is an integral part of many public-facing ICANN-staff roles and accordingly should be accounted for in performance evaluations for these staff. However, new feedback mechanisms that affect individual staff members must also be implemented with care. ICANN staff members are often in the position of having to reconcile diverging views within the community. Staff in these roles must feel free to carry out their roles independently and comfortably without fearing that they will be unfairly punished for engagement in divisive work, or feeling swayed to take a particular position in order to win certain allies within the community.

The working group could additionally consider recommending some positive incentives, such as mechanisms to provide recognition staff members that go above and beyond duty in their service to the community on an ongoing basis. Recognition could also feed into a community-selected community recognition award for staff, similar to the ICANN multi-stakeholder ethos awards.

If the working group intends further review of staff accountability, please consider looking at:

> staff empowerment, including whether staff feel meaningfully engaged in their work and have the resources and decisional latitude to effectively carry out their roles; and

> the relationship between community needs and staff growth and distribution.

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This comment was drafted by Stephanie Duchesneau, with edits by Marilyn Cade and Steve DelBianco.

It was approved in accord with the BC charter.