NomCom Review: Implementation Milestones and Next Steps

NomCom Review Implementation Working Group

ICANN68 Prep Sessions
17 June 2020 – 16:00 UTC

ICANN

Presenters

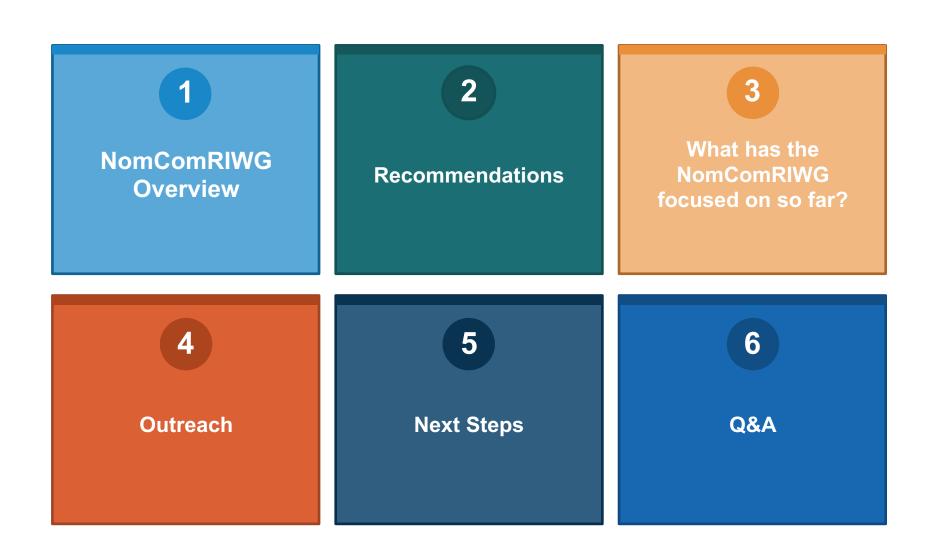**Tom Barrett**

Chair

Cheryl Langdon-Orr

Vice-Chair

Zahid Jamil-IG

Vice-Chair

Agenda

1 NomComRIWG Overview	**2** Recommendations	**3** What has the NomComRIWG focused on so far?
4 Outreach	**5** Next Steps	**6** Q&A

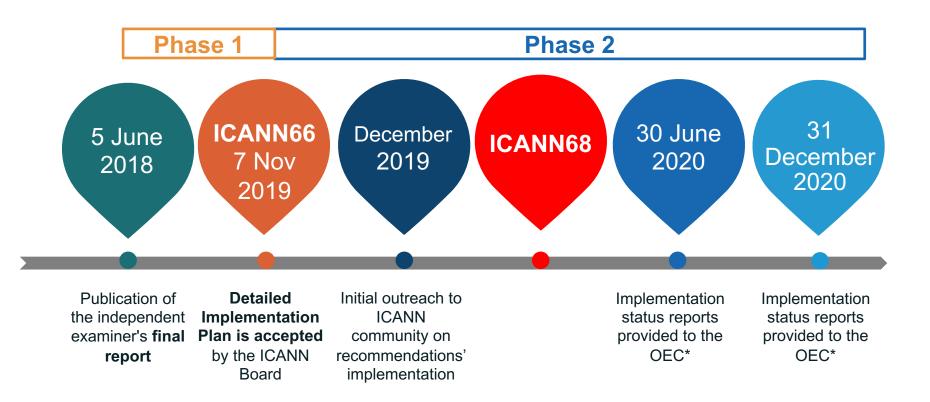# NomComRIWG Overview

Agenda Item #1

*"*Resolved (2019.11.07.34), *the Board directs the NomCom Review Implementation Working Group to commence implementation, in accordance with the NomCom Review Detailed Implementation Plan and to provide updates to the Organizational Effectiveness Committee of the ICANN Board (OEC) through six-monthly written implementation reports on progress, including, but not limited to, progress toward metrics and use of allocated budget."* [*LINK*]

NomComRIWG Overview

- **32 Members,** representatives from all SOs/ACs other than ASO, GAC, and SSAC
- **Held 40 teleconferences to-date**, 20 since implementation work started
- Currently in phase 2 of the implementation phase

Phase 1	Phase 2				

5 June 2018	ICANN66 7 Nov 2019	December 2019	ICANN68	30 June 2020	31 December 2020
Publication of the independent examiner's **final report**	**Detailed Implementation Plan is accepted** by the ICANN Board	Initial outreach to ICANN community on recommendations' implementation		Implementation status reports provided to the OEC*	Implementation status reports provided to the OEC*

*OEC: Organizational Effectiveness Committee

Working Group Methodology

- NomCom Review **mandated by ICANN's Bylaws Article IV, Section 4.4**

- **Transparent** | meetings, documents, mailing list, action items are available via the NomComRIWG dedicated wiki

- **Open** to any volunteer(s), send an email to reviews@icann.org

- **Consensus-based decision making**

- **Fact-based analysis**

- Appropriate **Community outreach** when necessary

Implementation

Resourcing

Implementation Planning

Recommendations

Recommendations

Agenda Item #2

Recommendations

- The **detailed implementation plan** was set out to provide for each of the twenty-seven (27) recommendations:
    - a **realistic timeline** for the implementation,
    - a definition of **desired outcomes**,
    - an **explanation of how the implementation addresses underlying issues** identified in the final report,
    - a way to **measure current state** as well as progress toward the desired outcome,
    - details on the **expected budgetary implications** for each of the implementation steps.

- Recommendations were assessed to define which are:
    - Easy-to-implement and/or least costly improvements = 11
    - Normal-to-implement and/or normal costly improvements = 11
    - Difficult-to-implement and/or difficult costly improvements = 5

Recommendations

Key recommendations, include:

- **Rec. 7**: NomCom members, except for leadership positions, should serve two-year terms, and be limited to a maximum of two terms.

- **Rec. 8**: Maintain the current size of Nomcom

- **Rec. 9**: All NomCom members should be fully participating and voting members, except for NomCom leadership.

- **Rec. 10**: Representation on the NomCom should be re-balanced immediately and then be reviewed every 5 years.

- **Rec. 24**: An empowered body of current and former NomCom members should be formed to ensure greater continuity across NomCom's, and in particular, to recommend and assist in implementing improvements to NomCom operations.

- **Rec. 27**: Provide clarity on desire for and definition of "independent directors". Upon clarification of desire and definition, determine the number of specific seats for "independent directors".

What has the NomComRIWG focused on so far?

Agenda Item #3

What has the NomComRIWG focused on so far?

- Working Group activities since board approval at ICANN66 (November 2019):

  1. **Initial outreach with ICANN Board, ICANN staff, NomCom, and SOs/ACs**

     Feedback requested on 18 recommendations

  2. **Recommendations requiring budget requests:**

     Training of NomCom leadership and members (rec. 2, 3, 4)

  3. **Recommendations including a potential Bylaws update:**

     - NomCom members serving two-year terms (rec. 7)

     - NomCom members fully participating and voting members (rec. 9)

     - NomCom rebalancing (rec. 10)

     - Creation of a Standing Committee (rec. 24)

     - Definition of independent directors and number of seats needed (rec. 27)

Rec. 1

NomComRIWG started implementation on following recommendations, including:

Rec. 1: **Formalize a job description for NomCom members that emphasizes experience, diversity, independence, and provide that description to the SOs/ACs.**

- Draft a job description (LINK), based on existing guidelines, Bylaws requirements, as well as input received from the ICANN community.

- Structure:

    1. About the Nominating Committee

    2. Term of Eligibility

    3. Key Responsibilities and Duties

    4. Time Commitment

    5. Required Knowledge, Skills and Abilities (KSAs)

    6. Eligibility Exception

    7. Diversity

    8. Deadline

Rec. 2, 3 and 4

Rec. 2: Implement and formalize training to further NomCom members' understanding of the roles and responsibilities of Board directors and the practices of high-performing Boards at other nonprofit organizations.

Rec. 3: Implement and formalize training for NomCom leadership to further their understanding of their roles, authority, and responsibilities, and confirm or appoint the next Chair earlier in the cycle.

Rec. 4: Formalize training for NomCom members in the candidate evaluation process.

Initial work has been made on:

- Identify the appropriate course format
- Identify content requirements for the training course, as well as logistics
- Submitting a Budget request for these courses

Rec. 7

Rec. 7: **NomCom members, except for leadership positions, should serve two-year terms, and be limited to a maximum of two terms.**

General Parameters:

- There must be a minimum 2-year gap between the 2-year terms

- Time served prior to the implementation of this recommendation will not count towards term limits

- Transition period defined whereby approximately half of the NomCom members will initially serve one-year terms while the other half begin two-year terms

  - The initial one-year terms do not count towards the two 2-year term limits

- Defined how term limit rules apply if a member resigns

Rec. 7: Two-Year Terms

2. What is the criteria that will determine how partial terms served impact the term restrictions?

The impact on term limits of a member's early departure from the NomCom will be determined by whether the departure occurs before or after the completion of the ICANN Public Meeting - Community Forum, regardless of whether the NomCom continues any activities after this milestone.

- **If a member resigns prior to** the completion of the first 9 months of a 2-year term on the NomCom, the partial term served does not count towards their term limit.
- **If a member resigns after the** completion of the first 9 months of a 2-year term on the NomCom, they are considered to have completed a full 2-year term.

The impact on term limits of a new member who replaces another member who departs prematurely from the NomCom will be determined by whether the seating of the new member occurs before or after the departing member's completion of one cycle on the NomCom described above.

- **Their replacement**, **if seated prior to** the completion of the first 9 months of a 2-year term, will be considered to have used a full 2-year term
- **Their replacement**, **if seated after** the completion of the first 9 months of a 2-year term, will not have this second cycle counted towards their term limit.

Rec. 7: Two-Year Terms

3. Are term limits dependent on which entity appoints the NomCom member?

Term limits are not dependent on which entity appoints you.

4. Does the time served by appointees before the new mechanism becomes effective count towards their term limits?

- Once the Bylaws update takes effect for each SO/AC appointing members to the NomCom, previous membership(s) of the NomCom will not count towards term limits.

- For the avoidance of doubt, this also applies to
    - NomCom members who had served on the NomCom directly prior to the first NomCom cycle occurring after the Bylaws change come into effect for the respective SO/AC

    - NomCom members serving one-cycle terms even after the Bylaws change come into effect for the respective SO/AC

Rec. 8 and 9

Rec. 8: **Maintain the current size of NomCom**

- Implemented in conjunction with recommendation 10 (see next slide)
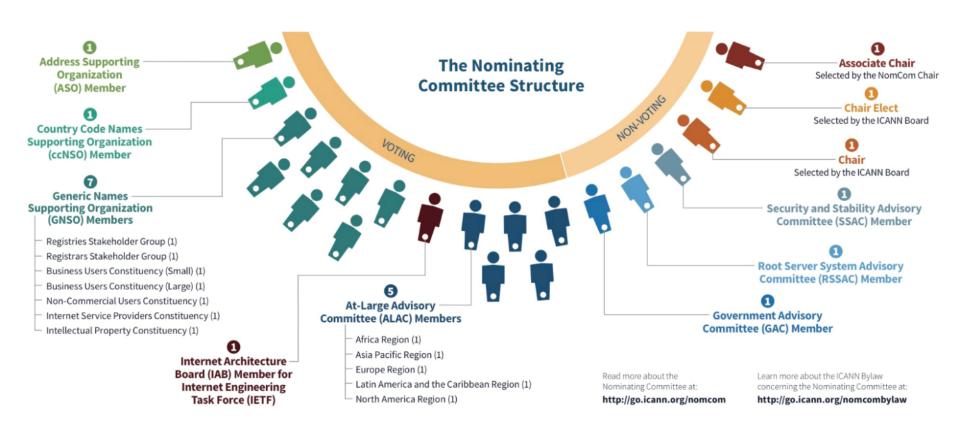
Rec. 9: **All NomCom members should be fully participating and voting members, except for NomCom leadership.**

- ICANN Bylaws and SOs/ACs Charters (when applicable) will be updated to reflect (except for NomCom leadership):

  - Each voting delegate shall serve a two-year term

  - A delegate may serve a maximum of two terms, and there must be a minimum 2-year gap between the 2-year terms

  - Voting participation by the GAC if their seat is filled, was not addressed

Rec. 10

Rec. 10: Representation on the NomCom should be re-balanced immediately and then be reviewed every five years.

The Nominating Committee Structure

VOTING | NON-VOTING

Address Supporting Organization (ASO) Member — 1

Country Code Names Supporting Organization (ccNSO) Member — 1

Generic Names Supporting Organization (GNSO) Members — 7
- Registries Stakeholder Group (1)
- Registrars Stakeholder Group (1)
- Business Users Constituency (Small) (1)
- Business Users Constituency (Large) (1)
- Non-Commercial Users Constituency (1)
- Internet Service Providers Constituency (1)
- Intellectual Property Constituency (1)

Internet Architecture Board (IAB) Member for Internet Engineering Task Force (IETF) — 1

At-Large Advisory Committee (ALAC) Members — 5
- Africa Region (1)
- Asia Pacific Region (1)
- Europe Region (1)
- Latin America and the Caribbean Region (1)
- North America Region (1)

Associate Chair — 1
Selected by the NomCom Chair

Chair Elect — 1
Selected by the ICANN Board

Chair
Selected by the ICANN Board

Security and Stability Advisory Committee (SSAC) Member — 1

Root Server System Advisory Committee (RSSAC) Member — 1

Government Advisory Committee (GAC) Member — 1

Read more about the Nominating Committee at: http://go.icann.org/nomcom

Learn more about the ICANN Bylaw concerning the Nominating Committee at: http://go.icann.org/nomcombylaw

Rec. 10 Rebalancing the NomCom

In their discussion and analysis of these recommendations, the NomComRIWG has agreed on a number of points:

1

First Point

The current allocation of nineteen (19) NomCom seats across the various SO/ACs remains unchanged. We note that only the ALAC and GNSO have more than one seat.

2

Second Point

The GNSO has evolved over time. Bylaws mandating GNSO's allocation does not allow for growth and flexibility.

3

Third Point

In relation to the GNSO's allocation of 7 seats, the NomComWG suggests the GNSO's constituencies and stakeholder groups should decide how these seats are distributed.

4

Fourth Point

NomComRIWG is suggesting that the ICANN Bylaws be revised to eliminate language referring to specific seats for stakeholder groups and constituencies, to allow for flexible allocation of the GNSO seats.

5

Fifth Point

Bylaws change would allow the GNSO constituencies and stakeholder groups to undertake a rebalancing exercise for its 7 NomCom seats if/when necessary. Outcomes include maintaining the status quo, rotating the 7 seats among more than seven constituencies and stakeholder groups, or any other solution.

Rec. 24: NomCom Standing Committee

Rec. 24: An empowered body of current and former NomCom members should be formed to ensure greater continuity across NomCom's, and in particular, to recommend and assist in implementing improvements to NomCom operations.

NomComRIWG is currently developing the Standing Committee's Charter; our **current thinking** is as follows:

Charter

- Separate from NomCom Operating Proceduresl contains guidelines on:
  - Role of Standing Committee:
    - Not involved with the NomCom annual selection process.
    - Ensures institutional memory of the NomCom.
    - Oversees recommendations contained in annual NomCom Report.
    - Suggests and assists in implementing improvements to NomCom processes.
    - Helps to improve NomCom relationship with ICANN community.
  - Composition and Size
    - Five members: one appointee from the GNSO, ccNSO, At-Large, One appointee rotating from ASO/IAB/RSSAC/SSAC, current NomCom Associate Chair.
    - Term length: tbd.

NomComRIWG final Charter proposal for the Standing Committee will undergo public comment; final adoption subject to Board approval. Future changes will also require public comment and Board adoption.

Rec. 24: NomCom Standing Committee

Rec. 24: An empowered body of current and former NomCom members should be formed to ensure greater continuity across NomCom's, and in particular, to recommend and assist in implementing improvements to NomCom operations.

Note: Several of the recommendations in this review require, once implemented, the support of this 'empowered body', including:

- Provide revisions to the NomCom members job descriptions, if and when appropriate
- Work with current/former NomCom and Board members to determine optimum timing for the appointment of NomCom Leadership
- Update the role and responsibilities that summarizes the consultant(s)' role of the recruiting company identifying Board candidates
- Maintain and, if needed, update the role and responsibilities document of the evaluation consultant role
- Perform annual outreach to Board, SO/AC, and PTI Board to receive feedback on specific needed competencies for Board, SO/AC, and PTI Board positions
- Maintain the feedback mechanism to assess the effectiveness of the evaluation consultant
- Analyze the performance assessment of the receiving bodies on an annual basis

Rec. 27

Rec. 27: **Provide clarity on desire for and definition of "independent directors". Upon clarification of desire and definition, determine the number of specific seats for "independent directors".**

- Not to be confused with legal definition of "Independent Directors" under California law.

- For avoidance of doubt, renamed by WG as "ICANN Unaffiliates"

- WG defined "ICANN Unaffiliate" as:

  - Has no or very limited chances of being appointed to the Board through any of the SO/AC-appointed seats.

  - Brings an outside perspective to ICANN

  - Possesses limited or no prior loyalty to one or more of ICANN's SO/ACs

- NomComRIWG currently discussing if goal for appointing "ICANN unaffiliates" can be embedded as best practice in the the NomCom operating procedures.

Outreach

Agenda Item #4

Community Outreach

Community outreach is key to nurture the NomComRIWG implementation work and will be carried through different phases.

- A first round of outreach on 18 recommendations was sent to the NomCom, the ICANN and PTI Boards, IETF, SOs/ACs on 19 January 2019.

  Input received on implementation steps available here: LINK

- NomComRIWG will reach out to the GNSO Constituencies and Stakeholder Groups, via a letter, informing them of recommendation 10:
    - Proposed changes to Bylaws

    - Asking them to schedule internal discussions on how to rebalance the GNSO's seat allocation

Community Outreach

- Additional outreach is expected during the implementation to inform the ICANN Community on changes and request input on the NomComRIWG latest agreements reached and developments

- Since a bundled Bylaws update is foreseen for several of these recommendations, this draft of the Standard Bylaw Amendment will be posted on the ICANN.org website and shall be subject to public comment in accordance with ICANN's public comment processes

Next Steps

Agenda Item #5

Q&A

Agenda Item #6

ICANN

Next Steps

- NomComRIWG will be focusing in the upcoming months on:
    - Defining the nature, composition, scope, and drafting the charter of the NomCom Standing Committee
    - Preparing its bundled Bylaws update related to recommendations 7, 9, 10, 24 and potentially 27.
    - Charters updates to reflect above Bylaws update
    - Timelines and process flows describing interactions between NomCom and the ICANN community

- Written implementation reports will be provided to the OEC every 6 months: On 30 June 2020 and 31 December 2020.
    - Implementation reports on progress, include, but are not limited to, progress toward metrics and use of allocated budget.

Thank you!

Contact our working group: mssi-secretariat@icann.org

Follow our wiki at https://community.icann.org/x/aBpIBg

Appendix

1. Recommendation and Implementation Tasks
2. Attendance Summary

1. Recommendation and Implementation Tasks

Recommendations

- Which processes/milestones are part of these recommendations, and how will they affect ICANN community?

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
Outreach	X	X	X	X	X	X	X		X	X
NomCom Operating Procedures							X		X	
Public Comment							X		X	X
Bylaws Change							X		X	X
Budget Impact		X	X	X						

	R11	R12	R13	R14	R15	R16	R17	R18	R19
Outreach		X	X	X		X	X	X	X
NomCom Operating Procedures		X		X		X			
Public Comment									
Bylaws Change									
Budget Impact			X						

Recommendations

	R20	R21	R22	R23	R24*	R25	R26	R27
Outreach	X	X	X	X	X	X	X	X
NomCom Operating Procedures								
Public Comment				X	X			X
Bylaws Change				X	X			X
Budget Impact					X			

- **R24:** An empowered body of current and former NomCom members should be formed to ensure greater continuity across NomCom's, and in particular, to recommend and assist in implementing improvements to NomCom operations.

- * NomComRIWG has determined that a number of recommendations require, once implemented, the support of this 'empowered body' (hereafter: **Standing Committee**).

- * NomComRIWG expects that a number of these recommendations will be implemented before the Standing Committee itself may be fully established and proposes that a **sub-group of NomComRIWG members take on the tasks of the Standing Committee on an interim basis** until rec. 24 is fully implemented.

Recommendation 1

Formalize a job description for NomCom members that emphasizes experience, diversity, independence, and provide that description to the SOs/ACs.

#	Task
1	Compile the SO/ACs timetable for selecting their NomCom members.
2	Enquire with all bodies that appoint members to the NomCom if they have a 'job description' for NomCom members, and also, which, if any, criteria they apply during their selection process.
3	Enquire with current and former NomCom leadership what content they would like to see in a job description for future NomCom members.
4	Enquire with ICANN org what in their experience makes a productive NomCom member.
5	Create an overview document that summarizes all responses.
6	NomComRIWG (via ICANN org) to ask for review of summary document(s) from HR professionals (ICANN and/or others).
7	NomComRIWG, with support from ICANN org, to draft proposed job description(s) for NomCom members, based on input received and NomComRIWG's discussion
8	NomComRIWG to provide the draft document to the bodies that appoint members to the NomCom and ask for feedback.
9	Finalize job description(s) based on NomComRIWG consensus.
10	NomComRIWG, with support from ICANN org, to post job description(s) on ICANN.org and send document to bodies that appoint members to the NomCom.
11	Ensure that the Standing Committee (Rec 24) provides revisions, in cooperation with the bodies that appoint members to the NomCom, if and when appropriate.

Recommendation 2

Implement and formalize training to further NomCom members' understanding of the roles and responsibilities of Board directors and the practices of high-performing Boards at other nonprofit organizations.

#	Task
1	Identify, in consultation with current and former NomCom members, what kind of course, online/in-person etc., might meet the needs of the NomCom and also addresses the issue identified by the independent examiner.
2	Work with current/former NomCom and ICANN org to identify content requirements for the training course, as well as logistical dependencies.
3	Make a FY21 budget request for possible pilot program.
4	Determine what metrics should be applied to determine success of training program.
5	Based on steps 1-4, NomComRIWG to:
5.a	Work with ICANN org to identify suitable vendors
5.b	Work with current/former NomCom members and ICANN org to agree on final course logistics and course content
5.c	Work with ICANN org to determine what budgetary requirements for the course are necessary, and, if required, initiate budget request for future budget cycles
6	Make budget request as part of ICANN's budget cycle.
7	Once budget is secured, work with ICANN org to contract vendor, and determine when training for future NomComs can start/take place.

Recommendation 3

Implement and formalize training for NomCom leadership to further their understanding of their roles, authority, and responsibilities, and confirm or appoint the next Chair earlier in the cycle.

#	Task
1	Identify, in consultation with current and former NomCom and Board members, what kind of course, online/in-person etc., might meet the needs of the NomCom and also addresses the issue identified by the independent examiner.
2	Work with current/former NomCom and ICANN org to identify content requirements for the training course, as well as logistical dependencies.
3	Make a FY21 budget request for possible pilot program.
4	Determine what metrics should be applied to determine success of training program.
5	Based on steps 1-4, NomComRIWG to:
5a	Work with ICANN org to identify suitable vendors
5b	Work with current/former NomCom members and ICANN org to agree on final course logistics and course content
5c	Work with ICANN org to determine what budgetary requirements for the course are necessary, and, if required, initiate budget request for future budget cycles
6	Make budget request as part of ICANN's budget cycle.
7	Once budget is secured, work with ICANN org to contract vendor, and determine when training for future NomComs can start/take place.
8	Work with current/former NomCom and Board members and Standing Committee to determine optimum timing for the appointment of NomCom Leadership and ensure this is reflected in the Board and NomCom calendars

Recommendation 4

Formalize training for NomCom members in the candidate evaluation process.

#	Task
1	Identify, in consultation with current and former NomCom members, what kind of course, online/in-person, etc., might meet the needs of the NomCom members and addresses the issue identified by the independent examiner.
2	Work with current/former NomCom members and ICANN org to identify content requirements for the training course, as well as any logistical and timing dependencies.
3	Determine what metrics should be applied to determine success of training program.
4	Based on steps 1-3, NomComRIWG to:
4.a	Work with ICANN org to identify suitable vendors
4.b	Work with current/former NomCom members and ICANN org to agree on final course logistics and course content
4.c	Work with ICANN org to determine what budgetary requirements for the course are necessary, and, if required, initiate budget request.
5	Once budget is secured, work with ICANN org to contract vendor, and determine when training for future NomComs leadership can start/take place.

Recommendation 5

A professional recruiting consultant should continue to be involved in the role of identifying potential Board candidates. The role of the recruiting consultant should be clarified and published.

#	Task
1	Enquire with ICANN staff and the current NomCom what the contractually defined role of the recruiting consultant(s) is and whether further steps are required.
2	Revisit the current timeline for BGC and others to provide the incoming NomCom with job descriptions and other relevant information for recruitment process.
3	Create an overview document that summarizes the consultant(s)' role (paying attention to the need for capacity outreach to underrepresented regions with similar proficiency)
4	Ensure that there is an ongoing outreach effort to under-represented regions within ICANN. This should be done in coordination with the marketing efforts, detailed in recommendation 13.
5	Draft a proposed role description for a professional recruiting consultant(s), based on input received and any additional NomCom RIWG's input.
6	Provide the document to ICANN Org and ask for feedback/concerns
7	Finalize proposed role description for a professional consultant(s) based on NomComRIWG consensus
8	Post role description on ICANN.org
9	NomComRIWG to establish metrics for the Standing Committee and/or ICANN.org to use to assess the consultants performance.
10	NomCom Standing Committee (see Recommendation #24) and/or ICANN.org to maintain and, if needed, update the role and responsibilities document of the recruiting company

Recommendation 6

NomCom standing committee (Rec #24) to maintain and, if needed, update the role and responsibilities document of the evaluation consultant role – and publish it where appropriate.

#	Task
1	NomComRIWG to decide what the process is of hiring an evaluation consultant and how it fits with the NomCom's annual selection cycle:
Note:	On an annual basis, each NomCom will determine whether the evaluation consultant will be relied on for their particular cycle.
1a.	Enquire with ICANN Org and the current NomCom what are the responsibilities of the evaluation consultant vis-à-vis the current job descriptions for the vacancies to be filled by the NomCom.
1b.	Create an overview document that summarizes the responses
2	Draft a proposed role description and Statement of Work for a professional evaluation consultant, based on input.
3	Ensure the written job descriptions described in Recommendation #15 are utilized.
4	Finalize proposed role description for a professional evaluation consultant based on NomComRIWG consensus.
5	NomCom standing committee (Rec #24) to maintain and, if needed, update the role and responsibilities document of the evaluation consultant role – and publish it where appropriate.

Recommendation 7

NomCom members, except for leadership positions, should serve two-year terms, and be limited to a maximum of two terms.

#	Task
1	Determine which NomCom seats will be elected initially for one year and which seats immediately for two-year terms. Note: the seats that will be initially elected for one year will turn into two-year positions in the following year, resulting in half of the NomCom being replaced each year going forward.
2	Work with ICANN org to draft changes to Bylaws language:
2a.	Decide whether term limits are 'consecutive' v 'life-time' limits.
2b.	If term limits refer to consecutive terms, determine the minimum gap between terms
2c.	How to deal with NomCom members who have been appointed by different SO/ACs.
2.d	Assess whether past NomCom terms are counted towards the life-time limit in (a).
2.e	Decide criteria determining how partial terms served impact the term restrictions.
3	ICANN Board directs initiation of Bylaws change and oversees the process
4	Bylaws change process takes place
5	Subject to the outcome of the Bylaws change, NomCom RIWG to inform bodies appointing members to the NomCom about new term conditions going forward.
6	Review and update NomCom Operating Procedures.

Rec. 7

TRANSITIONAL YEAR ASSIGNMENTS

Suggested SOs/ACs assignments for initial 1-year term vs. full 2-year term

		NEXT CYCLE 1-year term vs 2-year term
VOTING **(1 year - Max 2 successive years)**	ASO	1-year term
	ccNSO	2-year term
	GNSO - RrSG	1-year term
	GNSO - RySG	2-year term
	GNSO - BUC – Seat 1	1-year term
	GNSO - BUC – Seat 2	2-year term
	GNSO - NCUC	2-year term
	GNSO - ISPCP	1-year term
	GNSO - IPC	2-year term
	IETF	2-year term
	ALAC - Seat 1	1-year term
	ALAC – Seat 2	1-year term
	ALAC – Seat 3	1-year term
	ALAC – Seat 4	2-year term
	ALAC – Seat 5	2-year term
NON-VOTING **(Serve during the term designated by the entity that appoints them)**	GAC (inactive, slated to become voting*)	1-year term
	RSSAC (slated to become voting*)	1-year term
	SSAC (slated to become voting*)	2-year term
	NomCom Chair (appointed by the Board)	
	NomCom-Chair- Elect (appointed by the Board)	
	NomCom Associate Chair (appointed by the Chair)	

*Pending implementation of recommendation 9 (All NomCom members should be fully participating and voting members, except for NomCom leadership).

Recommendation 8

Maintain the current size of NomCom

#	Task
1	Maintain the current size of NomCom

Recommendation 9

All NomCom members should be fully participating and voting members, except for NomCom leadership.

#	Task
1	NomComRIWG to reach out to all bodies that are appointing NomCom members about planned Bylaws change, including rationale, as detailed in the Final Report
2	ICANN Board directs the initiation of Bylaws change, Section 8.2., to allocate the same voting and participation rights for all NomCom members, and oversees the process.
3	Bylaws change process takes place.
4	If Bylaws are changed, NomComRIWG with support from ICANN org, to review and update the NomCom Operating Procedures.
5	Subject to the outcome of the Bylaws change, NomCom RIWG to ensure that bodies appointing members to the NomCom are informed about all relevant changes to the NomCom members' participation rights.

Recommendation 10

Representation on the NomCom should be re-balanced immediately and then be reviewed every 5 years.

#	Task
1	NomComRIWG to propose definition of relevant terms included in the recommendation and identify the intended purpose of the recommendation – as detailed in the final report.
2	Assess what principles and other factors were used to determine the current NomCom's composition.
3	NomComRIWG, in consultation with the community, to propose what principles and other factors should apply to determine the optimum NomCom's composition, based on the current ICANN community.
4	Perform a gap analysis between the outcome of steps 2 and 3
5	NomComRIWG to examine the gap analysis and, in consultation with the ICANN Board, and the ICANN community, propose which principles should apply. Based on this, the NomComRIWG to propose, inter alia:
5a	Whether "rebalancing" in this context means to rebalance the seat allocations to all SO and ACs or whether the overall seats allocated to each SO and AC should remain constant and the SOs and ACs should, if desired, reallocate 'their' seats to ensure adequate representation of all their constituent groupings.
5b	Propose whether the GAC seat, even if unfilled, should remain allocated to the GAC or whether it should be 'absorbed' by another SO/AC.
5c	Propose if we envision a future where there might be more SO/ACs and whether this would have an impact on the proposed review period of five years
5d	Ensure that a re-balanced NomCom can continue working effectively in accordance with its mandate as detailed in the Bylaws.

Recommendation 10

Representation on the NomCom should be re-balanced immediately and then be reviewed every 5 years.

#	Task
6	Draft one or more rebalanced NomCom seat allocation scenarios and present this to the ICANN Board and the ICANN community for input via public comment and/or face-to-face interaction with the community during a public meeting, webinar, etc.
7	Taking into account the input, including a consideration of whether a potential Bylaws change may receive community and Board support, NomComRIWG to revise the rebalancing proposal and ask the Board to initiate Bylaws changes, if needed, or recommendation to the Board that no Bylaws change should occur.
8	If Bylaws changes are needed, and the ICANN Board is satisfied that the proposal will not impact on the effective conduct of the NomCom's selection work, the Board will direct the process to change the Bylaws.
9	Bylaw change is accepted and NomCom is rebalanced or Bylaw change is rejected, and status quo is maintained

Recommendation 11

The senior staff member supporting NomCom should be accountable to and report to the office of the CEO.

#	Task
1	Assess WS2 recommendation #7 for potential impact: https://www.icann.org/public-comments/ccwg-acct-ws2-final-2018-03-30-en
2	NomComRIWG to communicate with ICANN org about NomCom support reporting structure
3	NomComRIWG to assess what options there are, according to implemented WS2 Rec #7, for NomComRIWG to provide input into the reporting structure.
4	Further steps depend on outcome of task 3.

Recommendation 12

NomCom leadership should have input on the NomCom budget and staffing resources.

#	Task
1	NomComRIWG, with support/input from ICANN org, to identify a process, including detailed mechanism and appropriate timing, for NomCom leadership to provide meaningful input on resources via ICANN's annual budget cycle.
2	NomComRIWG to discuss with ICANN org and current NomCom leadership the feasibility of identified process.
3	NomComRIWG to coordinate with NomCom staff and NomCom leadership to assure leadership has the support needed to provide meaningful input.
4	NomComRIWG to devise any applicable metrics.
5	Review and Update NomCom Operating Procedures to reflect budget input of NomCom leadership.
6	Identify the role of the Standing Committee to assist with this recommendation, once implemented.

Recommendation 13

Publish a "Process Diagram" and codify key elements of the NomCom process. Each year, the NomCom should be required to highlight and explain process changes to the ICANN community in an open session.

#	Task
1	Consult with current/former NomCom members and ICANN org to document the NomCom's annual cycle; including (but not limited to) appointment of the leadership team, seating of the incoming members, communication with Board and other ICANN bodies about skill requirements for new appointees, recruitment outreach, interviews, selection, and announcement of incoming appointees.
2	Draft up a process diagram incorporating all relevant steps in the NomCom's lifecycle, ensuring the process includes: determination by the current NomCom if they are going to follow the previously codified process; if not, how they plan to / have already communicate(d) the change to the ICANN community.
3	Consult with current NomCom and NomCom staff to enquire about comprehensiveness of diagram, including whether to little or too much details are included in the draft.
4	Update/finalize diagram
5	Reach out to decide if additional visual improvements to the diagram are desired and whether ICANN org can provide needed services.

Recommendation 13

Publish a "Process Diagram" and codify key elements of the NomCom process. Each year, the NomCom should be required to highlight and explain process changes to the ICANN community in an open session.

#	Task
6	If a third-party vendor is required, NomComRIWG to enquire with ICANN org if current budget allows for the procurement of a third-party vendor; if it does not: NomComRIWG to coordinate a budget request for the next fiscal year via ICANN's annual budget cycle.
7	Publish where appropriate and publicize among the community.
8	Ensure that the diagram is periodically reviewed and updated, if required and that the community is duly updated about any those process updates.
9	Ensure that any deviation from the standard process by the NomCom is clearly communicated to the ICANN community

Recommendation 14

Formalize communication between the NomCom and the Board, SOs/ACs, and the PTI Board to understand needed competencies and experience.

#	Task
Note	These steps pertain to both recommendation 14 and 16, therefore, the information exchanged refers to both: the experience and skills need for future appointments, and the report on performance of potentially re-applying NomCom appointees (subject to all confidentiality requirements).
1	NomComRIWG to work with the current/former NomCom members, ICANN Board, ICANN org, and representatives of PTI to understand what information is currently shared between the NomCom and the bodies to which the NomCom makes appointments, including the timing of these communications.
2	NomComRIWG, in coordination with the current/former NomCom members and ICANN org and the bodies that receive NomCom appointees, including the ICANN Board and PTI Board, to identify what additional information (if any) can be shared.
3	NomComRIWG, in coordination with the current/former NomCom members, ICANN org and the bodies that receive NomCom appointees, including the ICANN Board and PTI Board, to identify whether improvements should be made to the timing of this exchange of information.
4	NomComRIWG, in coordination with the ICANN Board and impacted portions of the ICANN community, to draft a communication process and timeline, including desired information to be shared, that the NomCom and the bodies that receive NomCom appointees should follow each year, including what information should be shared with the recruitment agency(ies).
5	If applicable, updates should be made to the NomCom's operating procedures.

Recommendation 15

The NomCom should publish detailed job descriptions for Board, SO/AC, and PTI Board positions. The job descriptions, in combination with specific needed competencies identified each year by the NomCom, should form a basis for recruiting and evaluation efforts.

#	Task
1	Await and collect the finalized job descriptions as per Rec 14.
2	NomComRIWG, with support from ICANN org, to establish the process for the NomCom to make sure that when publishing the job descriptions, the NomCom is transparent if it decides to include other factors than those received through the suggestive Board advice or input from other bodies that receive NomCom appointees.
3	NomCom with support of ICANN org to update the NomCom Operating Procedure Manual with this new process
4	Assure that the NomCom Standing Committee (Rec #24) performs annual outreach to Board, SO/AC, and PTI Board to receive feedback on specific needed competencies

Recommendation 16

Implement and codify a system for providing feedback to the NomCom regarding the contributions and participation of members up for re-appointment by the NomCom.

#	Task
Note	These steps pertain to both recommendation 14 and 16, therefore, the information exchanged refers to both: the experience and skills need for future appointments, and the report on performance of potentially re-applying NomCom appointees (subject to all confidentiality requirements).
1	Work with the current/former NomCom members, ICANN Board and ICANN org to understand what information is currently shared between the NomCom and the bodies to which the NomCom makes appointments, including the timing of these communications.
2	NomComRIWG, with support from ICANN org and in coordination with the current/former NomCom members, ICANN org and the bodies that receive NomCom appointees, including the ICANN Board, to identify what additional information (if any) can be shared.
3	NomComRIWG, in coordination with the current/former NomCom members, ICANN org and the bodies that receive NomCom appointees, including the ICANN Board, to identify whether improvements should be made to the timing of this exchange of information.
4	NomComRIWG, in consultation with the ICANN Board and ICANN community, to draft a communication process and timeline, including desired information to be shared, that the NomCom and the bodies that receive NomCom appointees should follow each year, including what information should be shared with the recruitment agency(ies).
5	If applicable, updates should be made to the NomCom's operating procedures.

Recommendation 17

Maintain current diversity requirements for NomCom appointees.

#	Task
1	Invite bodies receiving NomCom appointees, as part of the implementation of recommendations 14 and 16 to include any relevant information on desired diversity in their annual communication/advice to the NomCom.

Recommendation 18

Ensure the Standing Committee reviews the annual applicant survey results and makes any changes as needed for the following year.

#	Task
1	Gain an overview of the current candidate communications of the NomCom by enquiring with current/former NomCom members and NomCom Staff.
2	Talk to previous NomCom appointees to understand how they perceived the communication process.
3	Propose a communication schedule including timing of communications with both successful and unsuccessful candidates.
4	Discuss with current/former NomCom members, NomCom staff, and previous NomCom appointees whether proposed communication schedule meets requirements and what further improvements could be made.
5	Finalize communication process; this should include annual surveys of all NomCom applicants.
6	Update NomCom's workflow (recommendation 13).
7	Publish communication schedule and timelines for candidate communications.
8	Ensure the Standing Committee reviews the annual applicant survey results and makes any changes as needed for the following year.

Recommendation 19

ICANN staff and the recruiting consultant, along with NomCom members, should leverage the detailed job description and desired competencies and experience to develop a marketing plan to better target prospective candidates.

#	Task
1	Reach out to NomCom, ICANN org, ICANN communication team, and the recruitment consultant(s), to understand what the state of current outreach and marketing is with regard to ensuring a diverse candidate pool in response to the NomCom's annual recruitment efforts.
2	Identify possible improvements to the marketing plan and decide, in cooperation with the current NomCom, ICANN org, and the Standing Committee (if already in place), what additional efforts should be undertaken to target candidates for future NomCom's recruitment cycles.
3	This marketing effort should also help educate potential outside candidates about ICANN.
4	NomCom to conduct annual measurements related to the quality of the applicant pool.
5	Standing Committee (or NomComRIWG as long as the Standing Committee is not yet in place) to assess effectiveness of outreach/marketing efforts on an annual basis and work with the NomCom, ICANN org and the recruitment consultant(s) to make improvements for the following year as required.

Recommendation 20

The evaluation consultant should undertake a preliminary screen of all Board candidates and provide blinded assessments to the NomCom to assist the NomCom with reducing the pool of candidates to the deep-dive shortlist.

#	Task
Note	Use of an evaluation consultant is determined by each NomCom. See Recommendation #6 (re: continued use of evaluation consultant).
1	Consult with current and past NomComs as well as ICANN org to determine what candidate attributes/data should be anonymized during the blind assessment (and when to reveal all data points), including steps to prevent:
1.a	losing access to candidate data prior to sharing with the NomCom
1.b	limiting the NomCom's choices of candidates
1.c	making the firm's recommendation for a short list binding on the NomCom
2	NomComRIWG to establish when in the NomCom cycle the short list should be produced to have maximum benefit for the NomCom.
3	If necessary, NomComRIWG to work with ICANN org to amend evaluation firm contract with the need to provide blind assessments and propose a deep-dive shortlist of the applicant pool (in accordance with 2 above), while preserving all application materials and making them available to the NomCom if so requested.
4	Establish a feedback mechanism to assess the effectiveness of the evaluation consultant providing a deep-dive shortlist to the NomCom and adjust the consultant's remit for the following year, if necessary (to be maintained by NomCom Standing Committee, see Recommendation #24).

Recommendation 21

The NomCom should use a standardized tool to evaluate and prioritize candidates, based on desired competencies and experience as determined annually. This tool will not replace qualitative assessments of candidates.

#	Task
1	Determine what process information, and other relevant data (including diversity requirements), needs to be captured in the tool by:
1.a	Consulting current and former NomCom members
1.b	Consulting those bodies that appoint members to the NomCom
1.c	Consulting with ICANN org
1.d	Consulting with other sources to determine industry best practices, possibly ICANN HR
2	Decide which additional tools should be part of the tool kit.
3	Outreach to current and former NomCom members to solicit input what the toolkit should contain.

Recommendation 21

The NomCom should use a standardized tool to evaluate and prioritize candidates, based on desired competencies and experience as determined annually. This tool will not replace qualitative assessments of candidates.

#	Task
4	Draft the tool kit components based on feedback and NomComRIWG input.
5	Ensure that the evaluation toolkit information is shared in a timely manner with the incoming NomCom and overall community.
6	Incoming NomCom should amend the standardized toolkit based on the updated/latest job descriptions for positions to be filled.
7	Ensure the Standing Committee is aware of the necessity to maintain and update the evaluation toolkit on an annual basis accordingly to input from the outgoing NomCom, as well as each year's specific job description.

Recommendation 22

The NomCom should provide consistent interview questions and an interviewer evaluation form for the candidates interviewed during the deep-dive phase and the final face-to-face interviews.

#	Task
1	Communicate with NomCom to capture and review what questions and evaluation tools are typically used by the NomCom during the deep-dive and final interview phases.
2	Establish which questions and tools should be included in the 'interview question library' used by every NomCom, (with the library included in the toolkit) by consulting:
2a.	Current and former NomCom members
2b.	Current and former NomCom appointees
2c.	NomCom supporting staff (HR)
2d.	External firm(s)
2e.	Bodies receiving NomCom appointees

Recommendation 22

The NomCom should provide consistent interview questions and an interviewer evaluation form for the candidates interviewed during the deep-dive phase and the final face-to-face interviews.

#	Task
3	Once finalized, integrate these questions into an interviewer evaluation form and incorporate into the evaluation toolkit (see Recommendation #21).
4	Deep-dive team assignments should consider additional factors beyond simply time zone availability, such as, e.g., potential conflicts and different cultures.
5	Each new NomCom can generate its own questions as well as pull from the 'library' to conduct a 'semi-structured' interview.
6	Instruct Standing Committee to capture the actual questions asked, scrubbing them of all identifying personal data, used at all stages, as well as seek feedback from each NomCom to assess usefulness of questions and update evaluation tool kit if and when needed.

Recommendation 23

The NomCom should publish additional data on the candidate pool and the recruiting source of candidates.

#	Task
1	Work with ICANN org to establish what data about the candidate pool has been published over the past five years.
2	Work with ICANN org to determine what non-confidential, non-identifiable data has not been made public and why.
3	Consult with the wider ICANN community what additional non-confidential, non-identifiable data points should be collected and published.
4	Reach consensus within NomComRIWG on what additional data, if any, should be published going forward and capture this consensus in the toolkit.
5	Coordinate with ICANN org to assure the additional data is captured and published.
6	Instruct Standing Committee to oversee the continuous publication of data, as defined, and to ensure analytics/trend analysis is conducted to decide if adjustments should be made (and if so what kind) for future NomComs.

Recommendation 24

An empowered body of current and former NomCom members should be formed to ensure greater continuity across NomCom's, and in particular, to recommend and assist in implementing improvements to NomCom operations.

#	Task
Note:	There are a number of recommendations that require the establishment of this empowered body [hereafter: Standing Committee], therefore the NomComRIWG will put in place an interim Standing Committee
1	NomComRIWG to discuss proposals for the structure and charter of this Standing Committee:
1a.	Nature: Cross-community group, Empowered NomCom Standing Committee, Working group
1b.	Composition: SO/AC appointed members, NomCom members… Large vs. Small group
2	NomComRIWG to propose the scope of this new body, including:
2a.	Advisory/community feedback role, identify which processes are part of its remit, including but not limited to those listed in this detailed implementation plan.
2b.	Avoid duplication of the NomCom's work (e.g. body will not participate in any way in the annual recruitment, evaluation or selection of candidates).
2c.	Role of the NomCom leadership team vis-à-vis the Standing Committee.
2d.	Protecting the NomCom from undue influence from the Standing Committee.
2e.	Clarification on how the Standing Committee interplays with regular organizational review cycles.
2f.	Ensuring that the definition of the Standing Committee does not negatively impact other improvements identified through the NomCom review process.

Recommendation 24

An empowered body of current and former NomCom members should be formed to ensure greater continuity across NomCom's, and in particular, to recommend and assist in implementing improvements to NomCom operations.

#	Task
3	Propose how communication between the body and the NomCom will be conducted, how it will be captured and how it will adhere to ICANN's transparency and accountability standards.
4	Propose a membership size of the body, including its possible composition.
5	Propose performance metrics for the Standing Committee, and how to review them annually.
6	ICANN Board, or a chosen delegate, to lead community conversation on all governance-related proposals put forward by the NomComRIWG.
7	The Board, or its delegate, to work with the NomComRIWG and in consultation with the ICANN community to finalize a proposal on the governance structure of the Standing Committee, including protecting the NomCom from undue influence from the Standing Committee, clarification on how the Standing Committee interplays with regular organizational review cycles, and ensure that the definition of the Standing Committee does not negatively impact other improvements identified through the NomCom review process (see also 2 above).
8	Following public comment, and based on feedback, ICANN Board, or its delegate, to finalize the governance structure.
9	ICANN org, in cooperation with NomComRIWG and ICANN community, to discuss what level of staff support and/or other support may be necessary to help the body perform its duties.

Recommendation 24

An empowered body of current and former NomCom members should be formed to ensure greater continuity across NomCom's, and in particular, to recommend and assist in implementing improvements to NomCom operations.

#	Task
9	ICANN org, in cooperation with NomComRIWG and ICANN community, to discuss what level of staff support and/or other support may be necessary to help the body perform its duties.
10	ICANN Board, or its delegate, to work with NomComRIWG to put the new body into place, i.e. Bylaw change, including additional public comment.
11	ICANN Board will direct any Bylaws changes.
12	NomComRIWG to work with ICANN Board and ICANN org to initiate any budgetary requests needed for the operating of the body.

Recommendation 25

Improve NomCom selection decisions by assessing the performance and needs of all bodies receiving NomCom appointees.

#	Task
1	Consult with receiving bodies to understand what (if any) performance assessment of the body itself is conducted and what skill set needs derive from that (or any other assessment) for future NomCom appointees, to avoid creating a new line of assessment or review of the receiving bodies.
2	Propose additional/improved performance and needs assessment of receiving bodies, if needed, as it relates to identification of needs from NomCom appointees.
3	Propose how the NomCom can use the information from the receiving bodies (step 1) to assess the needs of these bodies to improve NomCom's selection decisions during its annual selection cycle.
4	Agree with the receiving bodies how assessment and improved selection will be incorporated into the annual selection process, if appropriate/necessary.
5	Incorporate this assessment into the relevant job descriptions developed annually by the NomCom.
6	Determine how to facilitate the receiving bodies performing the assessments.
7	Ensure that interdependency with other, relevant recommendations is taken into account.
8	Standing Committee analyze the performance assessment of the receiving bodies on an annual basis and make adjustments (if/when needed) for the subsequent NomCom.

Recommendation 26

ICANN should investigate advancing its nominations process into a Leadership Development function.

#	Task
1	Reach out to ICANN org to discuss what would be involved in developing a leadership development function for unsuccessful NomCom applicants.
2	Provide an overview of what kind of leadership development is currently in place, or how current outreach and volunteer development efforts could be adapted to harness unsuccessful NomCom candidates.
3	Discuss with current/former NomCom members and ICANN org how to identify unsuccessful applicants that would benefit from leadership development.
4	Provide ICANN org with suggestions on what a leadership development could look like, what its goals would be, and what criteria might be relevant for its success.
5	Investigate and to report back to NomComRIWG about the feasibility of such a leadership development function, which costs would be involved and what potential metrics for success could be applied.
6	Launch development function if deemed feasible and potential for harnessing new volunteer talent is sufficiently high.
7	In addition, the NomComRIWG to ensure that the communication with unsuccessful candidates explains other volunteer opportunities within ICANN – such communication should be codified within the NomCom operating procedures.

Recommendation 27

Provide clarity on desire for and definition of "independent directors". Upon clarification of desire and definition, determine the number of specific seats for "independent directors".

#	Task
Note	The NomComRIWG notes that term 'independent' in the final report is used in the context of 'no prior involvement in ICANN processes'. Therefore, to avoid confusion, the question that the NomComRIWG will ask during the implementation of this recommendation will be: 'should the NomCom be empowered to seat directors that, in addition to being independent, are also 'ICANN unaffiliates? If so, how many?
1	Define 'ICANN unaffiliates', based on the findings of the Final Report, and whether a different term should be used.
2	NomComRIWG to engage with the ICANN community, ICANN Board, and ICANN org, to obtain feedback on the definition of 'ICANN unaffiliates', and the questions of whether being an 'ICANN unaffiliates' should be an additional requirement for some of the NomCom-appointed Board seats, and, if so, how many.
3	NomComRIWG to develop a proposal for this recommendation regarding the need (or not) of NomCom-appointed Board directors who are 'ICANN unaffiliates'.
4	Review the proposal and ensure that it aligns with all relevant laws and IRS's regulatory standards applicable to the selection of ICANN's Board directors.

Recommendation 27

Provide clarity on desire for and definition of "independent directors". Upon clarification of desire and definition, determine the number of specific seats for "independent directors".

#	Task
5	Subject to positive feedback from the Board that the definition aligns with all relevant legal requirements, NomComRIWG to propose how to incorporate its proposal into the NomCom's selection process.
6	Publish its proposal on NomCom-appointed Board directors who are 'ICANN unaffiliates' for public comment.
7	Based on feedback from the public comment, NomComRIWG to update its proposal for the definition of, need for, and number of NomCom-appointed Board directors who are 'ICANN unaffiliates' and, if deemed necessary, propose a Bylaws change, or changes to the NomCom operating procedures, or determine another way to codify the proposal.
8	If changes to the Bylaws are required, these will be directed by the ICANN Board.
9	If the Bylaws change is successful, the Standing Committee should ensure the NomCom produces appropriate documentation that shows how the new requirement is followed.
10	Based on the outcome of the implementation, determine if additional steps or safeguards need to be taken to ensure a desirable number of NomCom-appointed Board directors who are 'ICANN unaffiliates' serve on the Board at any given time.

2. Attendance Summary

Attendance Summary

- *To be added after plenary #41*