

ICANN Expected Standards of Behavior

- Webpage:
<https://www.icann.org/resources/pages/expected-standards-2016-06-28-en>
- PDF: [here](#)

ICANN Community Anti-Harassment Policy

- Webpage:
<https://www.icann.org/news/blog/community-anti-harassment-policy>

NomComRIWG

Meeting #62



3 December 2020 | 19:00-20:00 UTC

Agenda

1. Roll Call + SOI Updates
2. NomCom Standing Committee Charter: Review of ICANN org legal department input
3. Questions to be submitted to ICANN org on Recs. 11 & 12
4. Progress and Implementation Status Report #2 (Draft version)
5. A.O.B.
6. Next Meeting

Roll Call + SOI Updates

Agenda Item #1

Agenda

2. NomCom Standing Committee Charter: Review of ICANN org legal department input
3. Questions to be submitted to ICANN org on Recs. 11 & 12
4. Progress and Implementation Status Report #2 (Draft version)
5. A.O.B.
6. Next Meeting

NomCom Standing Committee Charter: Review of ICANN org legal department input

Agenda Item #2

NomCom Standing Committee Charter

II. Purpose

Oversee **continuous improvement (1)** to the NomCom Operating Procedures and associated processes to increase the effectiveness and efficiency of the Nominating Committee while ensuring the NomCom's ~~optimal~~ (2) transparency and accountability to the overall ICANN community, including:

- Provide continuity across annual NomCom cycles
- Build the institutional memory of the NomCom
- Help coordinate communications between the NomCom and other bodies, while following confidentiality guidelines

COMMENT

- (1) As the ATRT3 Recommendations also focus on continuous improvement, suggest not including a separate definition in here. Consider the Standing Committee's role in participating in that Continuous Improvement effort as it's rolled out.
- (2) Propose to delete the word "optimal" to correspond with the proposed wording in Section 8.7 of the Bylaws.
- (3) Suggest to re-phrase this section to provide better clarity in terms setting out the purpose/goal of the NCSC. For instance, how does the NCSC provide continuity across the annual NomCom cycles? How does the NCSC help to build institutional memory of the NomCom? What are the "other bodies" which the NomCom communicates with? What "confidentiality guidelines" are being referred to here?

NomCom Standing Committee Charter

NCSC: Note that this is very close to some of the acronyms already in use in the Non-Commercial Stakeholder Group. Suggest not using an acronym to reduce confusion.

III. Scope of Responsibilities

*The scope of responsibilities for the Nominating Committee Standing Committee (NCSC) will **encompass NomCom associated processes with the following groups and categories:***

COMMENT: This language is somewhat vague. Can this be clarified?

NomCom Standing Committee Charter

1. NomCom Leadership

Term “Oversee”

COMMENT

A general note that oversight in many instances might not be the correct word. If there are areas where we expect the Standing Committee to do the work, that is an operational – not oversight – role. For example, when I compare to earlier drafts of the charter, I see a reference that the Standing Committee is would run a feedback process with a review of the interview questions in order to assess and update a toolkit. The oversight here suggests that it’s oversight over the NomCom Leadership in doing that task. Another example – in the prior version of the charter, the Standing Committee is defined as having the role of performing annual outreach to the ICANN and PTI Boards to receive feedback on desired skill sets. As drafted, below in Section 2, this configuration could be read to grant the Standing Committee oversight over the ICANN Board process for job descriptions/appointment, as well as how the Board would assess NomCom performance.

In general, many of the tasks that were previously reserved to the Standing Committee are now listed in an oversight role, whereby the Standing Committee is asserting oversight over various portions of the ICANN structure in doing work as it relates to NomCom, and thereby also assigning much of that work to the various structures. While we do not think that this is the intended outcome of the redrafting, we note that further amendments are needed to in order to define what it is that the Standing Committee is expected to do operationally and with whom they are to coordinate, instead of expressing it all as an oversight role.

NomCom Standing Committee Charter

1. NomCom Leadership

- *Oversee the processes of continuous improvement and **one-time exceptions (1)** to the NomCom Operating Procedures and ensure transparency and accountability to the overall ICANN community for these processes.*
- *Oversee the process of assessing the recommendations published in the **NomCom Annual Report (2)***
- *Oversee continuous improvement of the evaluation toolkit used by the NomCom for the evaluation and prioritization of candidates, including the historical archive of interview questions, **after they have been scrubbed of all identifying and personal information. (3)***
- *Oversee any **extraordinary budget (4)** requests desired by NomCom Leadership*

COMMENTS:

- (1)For purposes of this Charter, this is not clear.
- (2)Can this be referenced with more specificity so that it's clear what is being referenced?
- (3)Redaction of personal information?
- (4)What does “extraordinary budget” entail? Is this defined?

NomCom Standing Committee Charter

7. External Consultants to the NomCom

- Ensure the NomCom's goal for Unaffiliated Board directors is consistently communicated to all external consultants
- Oversee the process and standardized tools used by any **external** consultants to evaluate and prioritize candidates
- Oversee the process to assess the effectiveness of the external consultants. Based on the results, work with ICANN org and the NomCom to propose adjustments to the consultants' remit for the following year.

8. Overall ICANN community

- Oversee the website and systems used for the continuous improvement and **institutional memory** of the NomCom
- Oversee the process for community outreach in advance of the NCSC or NomCom Leadership enacting material changes to the NomCom Operating Procedures or NCSC Charter
- Oversee the processes of identifying, collecting and timely publication of publicly available data on the candidate pool

COMMENT:

Is this referring to a historical archive/ archival management system?

NomCom Standing Committee Charter

IV. Composition

The Standing Committee shall be composed of five seats:

- Four members, **as selected from a public Expression-of-Interest (EOI) process**
- The current NomCom Associate (outgoing) Chair, *serving ex officio and serves as a liaison between the NCSC and the NomCom*
- The existence of any vacancies shall not affect the obligation of the Standing Committee to carry out the responsibilities assigned to it in this Charter

COMMENT:

- Who makes the selection?

NomCom Standing Committee Charter

V. Terms

- The NomCom Associate Chair shall only serve on the Standing Committee coinciding with their Associate Chair term.
- The term of all other members shall be three years, with terms staggered as described below
- All regular terms shall start upon the conclusion of the ICANN Annual General Meeting
- Each year, one member shall roll off the Standing Committee and be replaced by another member. Every third year two members shall roll off and be replaced by two new members
- Any vacancy that arises during a term shall be filled via a public EOI process.
- **The members of the Standing Committee shall select the new member(s) using the rules for eligibility. (1)**
- Any one person shall not be eligible to be appointed to the Standing Committee for more than two full terms, totalling six years.
- Preference will be given to:
 - Prior experience on a NomCom Leadership Team
 - Applicants endorsed by an SO/AC
 - In-coming members who are not from the same SO/AC's as out-going members
- **Non-performing (2)** members may be removed by a majority vote of the Committee.

COMMENT

- (1) This belongs above, not under terms. Has the Standing Committee considered any accountability concerns in its ability to select and perpetuate its own membership?
- (2) How is this defined?

NomCom Standing Committee Charter

VI. Meetings

The members of the Standing Committee will select a Convenor at the **Annual Meeting** to lead the committee, rotating every year.

The Standing Committee will meet by remote participation (using appropriate technology) as frequently as necessary, but no fewer than six times per year. Regular meetings may be called upon no less than fourteen (14) days notice by either (i) the Convenor or (ii) any two members of the Standing Committee acting together. Meetings to address urgent issues may be called in a manner calculated to provide as much notice as possible to the members of the Standing Committee. Email discussions do not constitute meetings.

COMMENT

- Where is this defined?

NomCom Standing Committee Charter

VII. Accountability and Transparency

Outcomes and actions of the Standing Committee shall be taken by consensus. Such consensus shall be documented and may be determined via Internet-based discussions without the need for a meeting.

The Standing Committee shall operate openly and transparently. Standing Committee meetings shall be recorded. Any minutes or other records of the meetings shall be publicly posted as soon as possible following approval by the committee.

The Standing Committee should use a public mailing list for any matters related to its remit.

Standing Committee members must provide and update statements of interest that identify potential conflicts of interest in their Standing Committee service.

The NCSC will develop goals and publish reports of its Continuous Improvement program consistent with the approach recommended by the ATRT3 Report

COMMENT

This seems more appropriate for inclusion under a task above.

NomCom Standing Committee Charter

VIII. Review

This Charter of the Standing Committee shall be reviewed as part of the NomCom's organization review as per [Section 4.4](#) of the Bylaws. Any one of ICANN's SOs/ACs, the IETF, the ICANN Board, or ICANN org may propose amendments to this Charter. All proposed changes shall be subject to ICANN's public comment processes.

COMMENT

Is this for changes outside of the review process?

Also, a way to future proof this a bit could be to refer to the Bylaws, in that changes can be recommended by the ICANN Board, org, or any of the entities that are entitled under the Bylaws to appoint nomcom delegates.

Questions to be submitted to ICANN org on Recs. 11 & 12

Agenda Item #3

Questions to be submitted to ICANN org on Recs. 11 & 12

Follow-up on action items identified on Plenary call #61: [LINK](#)

Rec. 11: The senior staff member supporting NomCom should be accountable to and report to the office of the CEO.

Rec. 12: NomCom leadership should have input on the NomCom budget and staffing resources.

ICANN org CEO, Göran Marby, or his designees would be appropriate for both of the topics.

1. NomComRIWG to prepare questions
2. ICANN org to confirm speakers,
3. ICANN org/NomComRIWG to identify potential dates/times for separate meetings
4. ICANN org to Identify potential meeting(s) date

Rec. 11

Rec. 11: The senior staff member supporting NomCom should be accountable to and report to the office of the CEO.

#	Description	Status ✓ 🔄 ✗	(Estimated) Completion Date
1	Assess WS2 recommendation #7 for potential impact: https://www.icann.org/public-comments/ccwg-acct-ws2-final-2018-03-30-en	✗	Q4-2021
2	NomComRIWG to communicate with ICANN org about NomCom support reporting structure	✗	Q4-2021
3	NomComRIWG to assess what options there are, according to implemented WS2 Rec #7, for NomComRIWG to provide input into the reporting structure.	✗	Q1-2022
4	Further steps depend on the outcome of task 3.	✗	Q1-2022

Rec. 12

Rec. 12: NomCom leadership should have input on the NomCom budget and staffing resources.

#	Description	Status ✓ 🔄 ✗	(Estimated) Completion Date
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.	✗	Q3-2020
2	NomComRIWG to discuss with ICANN org and current NomCom leadership the feasibility of identified process.	✗	Q4-2020
3	NomComRIWG to coordinate with NomCom staff and NomCom leadership to assure leadership has the support needed to provide meaningful input.	✗	Q4-2020
4	NomComRIWG to devise any applicable metrics.	✗	Q1-2021
5	Review and Update NomCom Operating Procedures to reflect budget input of NomCom leadership.	✗	Q1-2021
6	Identify the role of the Standing Committee to assist with this recommendation, once implemented.	✗	TBD

Progress and Implementation Status Report #2 (Draft version)

Agenda Item #4

Progress Report

- Progress and Implementation Status Report to be submitted up until 31 December 2020.
- Draft: [LINK](#)
- Dates have been changed to reflect 2021 timeline

	#
Recommendations with no action required	2
Recommendations with implementation in progress	25
Recommendations not yet started	0

- **Reminder:** Working group to continue highlighting, in any document publicly available, any updates or modifications to the implementation steps listed in the detailed implementation plan, and provide rationale for these changes to the OEC for consideration.

Any Other Business

Agenda Item #5

Next Meeting

Agenda Item #6

Next Meetings

- **10 December 13:00 UTC**
- **17 December 19:00 UTC**
- **January 2021 Call Schedule?**

Thank you!



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