Pilot Holistic Review Revised Draft Terms of Reference

ICANN

Pilot Holistic Review Revised Draft Terms of Reference Webinar
21 August 2023

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Participants

Terms of Reference (ToR) Development Team Leads

Cheryl Langdon-Orr
ToR Team Lead, ATRT3
Shepherd

Pat Kane
ToR Team Lead, ATRT3
Shepherd

Avri Doria
ToR Team Lead, ICANN
Board Member, OEC
Member

ICANN Board

ICANN ORG

Katrina Sataki
Board Member, OEC Chair

Jason Kean
Project Manager, Reviews
Support and Accountability

Yvette Guigneaux
Review Support & Accountability
Coordinator

What is the Pilot Holistic Review?

Background

- The Third Accountability and Transparency Review (ATRT3) examined if ICANN Reviews function effectively, issuing several recommendations addressing their number, frequency, duration, and nature.

- ATRT3 recommendation 3.5 is about introducing a new Specific Review, the Holistic Review.

- The Board approved recommendation 3.5, "subject to prioritization and available resources" and directed ICANN org to initiate the first Holistic Review as a pilot, "...pursuant to community-agreed Terms of Reference and relevant elements of the Operating Standards for Specific Reviews."

- A subgroup of the Organizational Effectiveness Committee of the Board (OEC), including its Chair, solicited the ATRT3 Shepherds and former ATRT3 members to help draft the Terms of Reference (ToR) for the Pilot Holistic Review to expedite the pilot, enabling work to occur in parallel with the Planning Prioritization Pilot.

- Recommendation 3.5 was classified as a top priority (P1) for implementation by the ICANN community in May 2022.

What is the Holistic Review?

Key Objectives

ATRT3 recommendation 3.5 sought to create the Holistic Review to achieve the following objectives:

1. Review continuous improvement efforts of SO/AC/NomCom based on good practices.

2. Review the effectiveness of the various inter-SO/AC/NomCom collaboration mechanisms.

3. Review the accountability of SO/ACs or constituent parts to their members/constituencies (this will include an in-depth analysis of the survey results).

4. Review SO/AC/NomCom as a whole to determine if they continue to have a purpose within the ICANN structure as they are currently constituted, or if any changes in structures and operations are desirable to improve the overall effectiveness of ICANN as well as ensure optimal representation of community views (but taking into consideration any impacts on the Board or the Empowered Community).

Public Comment Proceeding

Public Comment proceeding on Pilot Holistic Review Draft Terms of Reference was open from **30 August - 10 November, 2022 -** see [Public Comment page](#)
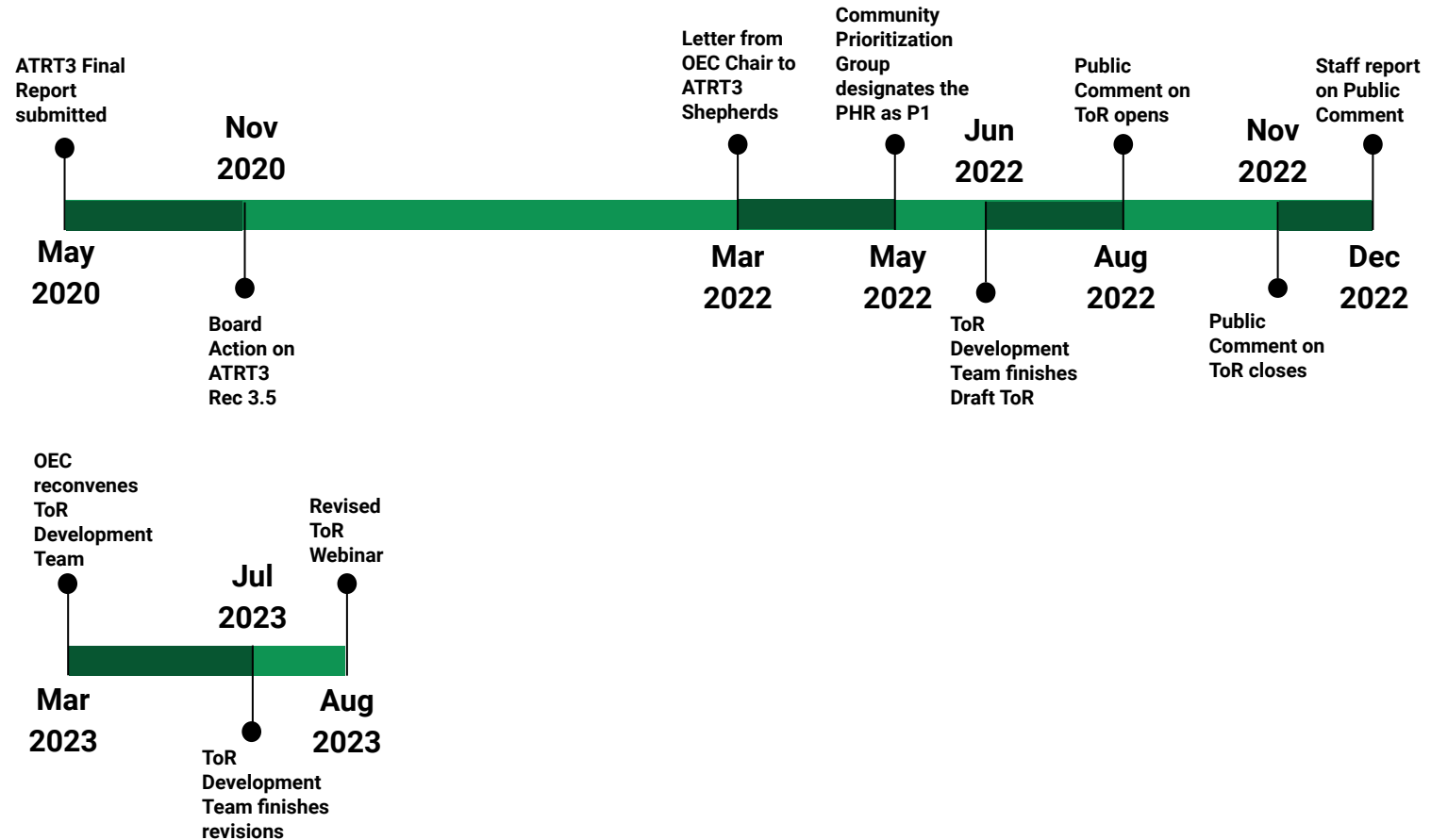
The proceeding sought input on:
- Whether the Draft Terms of Reference seems fit for purpose, and whether it is tailored to the community's expectations based upon ATRT3 recommendation 3.5.
- Pilot Holistic Review scheduling and timing in light of other community and stakeholder work.

Submissions
- The proceeding received 11 group submissions and 2 individual submissions.
- The submissions revealed diverging community views on the pilot and Holistic Review.
- In response to an analysis of the public comments, the Organizational Effectiveness Committee of the Board reconvened the Terms of Reference (ToR) Development Team in March 2023 to address the questions and issues raised during the proceeding.

Timeline from ATRT3 Report through webinar

ATRT3 Final Report submitted

Nov 2020

May 2020

Board Action on ATRT3 Rec 3.5

Letter from OEC Chair to ATRT3 Shepherds

Community Prioritization Group designates the PHR as P1

Jun 2022

Public Comment on ToR opens

Nov 2022

Staff report on Public Comment

Mar 2022

May 2022

Aug 2022

Dec 2022

ToR Development Team finishes Draft ToR

Public Comment on ToR closes

OEC reconvenes ToR Development Team

Revised ToR Webinar

Jul 2023

Mar 2023

Aug 2023

ToR Development Team finishes revisions

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Focus of revisions to the ToR

Primary focus: address the questions and issues raised in the public comments.

Outcome of ToR revisions
The PHR will focus on putting in place the necessary guidelines, processes, and testing for the Holistic Review. While preserving organizational subsidiarity, this approach ensures that 1) there is a sufficient level of confidence and consensus across various community groups to introduce the required Bylaws amendment to accommodate the Holistic Review, and 2) subsequently the first Bylaws mandated Holistic Review can be scheduled, smoothly undertaken, and effectively implemented.

The following slides will address 4 specific issues raised during in the Public Comment proceeding.

Issue: The scope of Holistic Reviews is not clear

Response: The PHR is responsible for clarifying the question of the scope of future Holistic Reviews. The updated ToR envisions that the PHR will examine and discuss different methodologies to develop the necessary guidelines for future Holistic Reviews, including evaluation and measurement of continuous improvement programs being implemented by SOs, ACs, and NomCom. The PHR is also expected to develop a proposal for the Bylaws amendments to include Holistic Review.

Question and Answer

Questions?

Issue: Lack of independent examination in the Holistic Review

Response: In the latest ToR revision, the SO, AC, and NomCom self-assessments would come directly from each group's reporting of their continuous improvement efforts under the Continuous Improvement Program (CIP), not the Holistic Review itself. As outlined in the ATRT3 Final Report, ICANN's structures can obtain independent contractors to assist in their continuous improvement efforts, if so desired.

Question and Answer

Questions?

Issue: Lack of identified dependencies

Response: The PHR does not have any dependencies given that the pilot will not be conducting any formal CIP evaluations. Future Holistic Reviews will be dependent on the self-assessment cycle of the CIP. The self-assessment cycles will serve as inputs to the future Holistic Review's evaluation, as defined by ATRT3's review objectives.

Question and Answer

Questions?

Issue: Community might not have the ability to support the PHR work

Response: To ensure that the workload for the team is manageable, the scope of the pilot has been tightly refocused. The PHR will be run as the only Specific Review during this time period, the review team will consist of up to 21 members, i.e., up to three members per SO/AC. There will be a need for a community effort to provide feedback and guidance to the team during the Public Comment periods.

Question and Answer

Questions?

Revised ToR structure and deliverables

Revised ToR structure

- More direct language and simpler, shorter ToR document
- Clarified deliverables revised to include:
    - Guidelines for the review of Holistic Review objectives
    - Deliverables to address Board identified gaps
    - Testing of the Holistic Review's objectives guidelines

Guidelines for the review of Holistic Review objectives

1: Guidelines for the review of the effectiveness of the various inter-SO/AC/NomCom collaboration mechanisms.

2: Guidelines for the review of the accountability of SO/ACs or constituent parts to their members and constituencies.

3: Guidelines for the review of SO/AC/NomCom as a whole.

4: Guidelines for the review of the continuous improvement efforts of SO/AC/NomCom based on good practices. Noting that coherence among the continuous improvement programs of the SO/AC/NomCom will facilitate measurement and assessment with some degree of comparability.

Revised ToR deliverables (cont)

Deliverables to address Board identified gaps

5: The proposed Bylaws scope of future Holistic Reviews.

6: Guidelines on how future Holistic Review Teams should determine and prioritize work areas.

7: Methodology and timeline for gathering and analyzing data to inform fact-based findings and recommendations.

8: Principles of how various ICANN structures and support staff would be held accountable for implementing the recommendations coming from Bylaws based Holistic Reviews.

9: Skill sets for future Holistic Review Team members.

10: Assessment of resources required to complete future reviews.

11: Methodology for how future Review Teams would measure the success of implementation and the success of future continuous improvement programs.

Testing of the Holistic Review's objectives guidelines

12: Report on the testing of the guidelines as applied to specific issues. The PHR should explore a subset of issues as possible stress test cases and choose a few stress test cases to delve into from among the subset based on timing, bandwidth, and priority.

Next steps

- Following this webinar, the ToR Development leads will discuss input received and further revise the ToR as needed.

- The ToR Development Team will then present the input received and the ToR to the Organizational Effectiveness Committee of the Board.

- Following the Organizational Effectiveness Committee's review of the input and ToR, the committee will provide an update to the Board during the September Board Workshop.

- The plan is to open a Public Comment proceeding on the Pilot Holistic Review Revised Draft ToR in late September 2023.

Resources

Contact Review Support & Accountability: rsa-coordinators@icann.org

Pilot Holistic Review ToR Team working space on community wiki:
https://community.icann.org/display/atrt/Holistic+Review+Pilot+Project

ATRT3 Final Report (May 2020): https://www.icann.org/en/system/files/files/atrt3-report-29may20-en.pdf

ICANN Board Resolution (November 2020):
https://www.icann.org/resources/board-material/resolutions-2020-11-30-en

CANN Board Action Scorecard (November 2020):
https://www.icann.org/en/system/files/files/resolutions-atrt3-final-recs-board-action-scorecard-30nov20-en.pdf

Letter from OEC Chair Avri Doria to ATRT3 Shepherds regarding the development of Terms of Reference
(TOR) for the Pilot Holistic Review (February 2022):
https://www.icann.org/en/system/files/correspondence/doria-to-shepherds-02feb22-en.pdf

Pilot Holistic Review ToR Draf (July 2022):
https://community.icann.org/display/atrt/Holistic+Review+Pilot+Project?preview=/192220170/206143952/FINAL%20-%20Draft%20Terms%20of%20Reference%20for%20Pilot%20Holistic%20Review.pdf

Letter from ICANN Board Chair to Chairs of Supporting Organizations and Advisory Committees:
https://www.icann.org/en/system/files/correspondence/sinha-to-blumberg-et-al-03oct22-en.pdf

Webinar wikispace:
https://community.icann.org/display/atrt/Pilot+Holistic+Review+-+Revised+Draft+Terms+of+Reference+Webinar+-+21+August+2023

Resources

Pilot Holistic Review Draft ToR Public Comment proceeding (August 2022):
https://www.icann.org/en/public-comment/proceeding/pilot-holistic-review-draft-terms-of-reference-30-08-2022

Pilot Holistic Review Revised ToR Draft (July 2023):
https://community.icann.org/display/atrt/Holistic+Review+Pilot+Project?preview=/192220170/250710081/PHR_27JUL2023_Revised%20Draft%20ToR%20v.3.pdf

ICANN Bylaws - See Section 4.6 for Specific Reviews: https://www.icann.org/resouces/pages/governance/bylaws-en/#article4

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