

## Work Stream 2 Topic:

### Staff Accountability

#### Scope

In Recommendation #12 of the CCWG-Accountability Work Stream 1 report, there are two areas of work identified:

- *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.*

#### Background for Discussion

Possible areas for discussion include:

- What is the accountability strategy for ICANN as an organization (to whom ICANN staff are accountable)?
- How does this work relate to the other accountability-related items for Work Stream 2?
- How can this topic and its outcome be tied to the ATRT3 efforts?

The issue of Staff Accountability needs to be properly scoped for discussion. As identified in the CCWG-Accountability Work Stream 1 report, the focus of this issue is two-fold:

First, establishing documentation on the areas where ICANN the organization is empowered to act, as opposed to the work of the ICANN Board and the broader ICANN community. What are the areas where the work of the ICANN organization starts and stops, and what are the paths to confirm that the organization (through staff) has not overstepped its bounds.

Second, development of documentation or criteria on how the ICANN organization interacts with stakeholders. This would include mechanisms for reviews of these interactions, and identification of escalation paths (for both staff and stakeholder use) in the event that issues arise in these interactions. As noted in the CCWG-Accountability's WS1 Report, this could tie closely into the work on the role of the Ombudsman.

During the lightning talks on this issue at the Helsinki meeting, the issue of Staff Accountability was also tethered to the question of how ICANN the organization remains accountable to its staff members, particularly as it relates to staff's ability to speak openly about the ongoing work within ICANN. Some of this work would be naturally part of the code of conduct for how the organization interacts with stakeholders, as part of the identification of the types of items about which stakeholders can expect to have direct interactions with staff members, and where those interactions are expected to occur. This is heavily related to a different line of WS2 focus, Transparency, the subgroup for which is reviewing how ICANN could be more transparent, such as modifications to the Documentary Information and Disclosure Policy as well as considerations related to ICANN's Anonymous Hotline (aka "whistleblower" policy). As the CCWG-Accountability confirmed during the WS1 proposal development process, this Staff Accountability stream is not intended to enter into areas addressed through employment policies or to modify the employer/employee relationship between the ICANN organization and the staff that it employs. Any proposed expansion of the Staff Accountability subgroup's work in the area of how ICANN remains accountable to its staff members should remain cognizant of this limitation.

In performing its work, the subgroup is encouraged to maintain an open dialogue with the staff supporting the subgroup so that issues of staff accountability are addressed based upon facts and current state. As this topic is directly discussing ICANN's employees, ICANN encourages the subgroup and its participants to maintain the same level of respectfulness towards staff members that stakeholders wish to receive from those staff members.

## Resources

Summary: Conflicts of Interest and Ethics Practices Review:

<https://www.icann.org/resources/files/summary-ethics-review-2013-05-13-en>.

ATRT1 recommendation 22 ("The Board should ensure that ICANN's senior staffing arrangements are appropriately multilingual, delivering optimal levels of transparency and accountability to the community.") could be viewed as related to the issue of staff accountability. It also highlights potential diversity-related issues. (as well as touching on issues of diversity) , – see <https://www.icann.org/en/system/files/files/final-recommendations-31dec13-en.pdf> (pages 46-47)

Within the [One World Trust Report](#) is the following excerpt found on page 41 (Appendix B: 2)

*"Accountability Strategy: the One World Trust, HAP and WANGO frameworks all explicitly require the organisation to have a strategic commitment to accountability. HAP and the One World Trust extend this to mapping who the organisation's stakeholders are. Being clear about what an organisation's accountability commitments are, and who they consider themselves accountable to, can help them to focus policies and resources on key areas necessary to meet these commitments, as well as providing a clear statement of what stakeholders can justifiably expect from the organisation."*

HAP - The 2010 [HAP Standard in Accountability and Quality Management \(Humanitarian Accountability Partnership\)](#)

## WANGO - World Association of Non-Governmental Organizations

A prominent part of One World Trust approach centered around Accountability Strategy – a framework or statement that clearly spells out who is accountable to who. At the time that the report was issued, the notion of accountability to and by different stakeholder groups had not taken hold at ICANN.

The results of an independent review of ICANN's Anonymous Hotline is available at <https://www.icann.org/en/system/files/files/icann-hotline-policy-review-21mar16-en.pdf>

A recommendation of the independent reviewer as to the external use of ICANN's Anonymous Hotline is available at: <https://www.icann.org/en/system/files/files/icann-hotline-use-external-stakeholder-15may16-en.pdf>

ICANN KPI Dashboard - In line with ICANN's values of accountability, transparency and operational excellence, this Key Performance Indicator (KPI) Dashboard is a living management tool to track progress on ICANN's five strategic objectives and the related 16 goals. The dashboard is regularly updated and can be viewed [here](#). Quicklink to the KPI Dashboard is available from the [icann.org](http://icann.org) home page.

Strategic Goal 5.2 address promoting ethics, transparency and accountability across ICANN community. While various achievements have already been reported via the KPI Dashboard, ICANN organization continues to refine the approach of defining what this strategic goal means and how ICANN is progressing in its work. The next release of the Dashboard will include more details for each aspect of this goal - promoting ethics, transparency and accountability. The components pertaining to ICANN Organization and the Board are in place; the aspects of promoting ethics, transparency and accountability is yet to be defined and measured for ICANN stakeholders, to be done in collaboration with the ICANN community.

In line with ATRT2 Recommendation 9.4 (Develop Transparency Metrics and Reporting), ICANN is considering several examples and best practices in preparation for publication of an Annual Transparency Report prior to the end of 2016. For the latest update on the progress of implementation of this recommendation, please visit <https://community.icann.org/display/atrt/ATRT2+Implementation+Program>

### **WS1 WP3 Subgroup materials**

- <https://community.icann.org/display/acctcrosscomm/Staff+accountability>
- <https://community.icann.org/download/attachments/56141553/Staff%20Accountability%20PC2.docx?version=1&modificationDate=1444735059000&api=v2>
- <https://community.icann.org/download/attachments/56141553/Staff%20Accountability%20Public%20Comment%20tool.docx?version=1&modificationDate=1444292666000&api=v2>