

**Responses to “Information to Obtain/Questions to Ask”
CCWG Work Stream 2
Staff accountability**

- Where is there documentation that concisely and authoritatively sets out ICANN’s view of the respective roles and responsibilities of ICANN’s board, staff and community of participants in the organization’s work.

Yes, there is clear documentation as reflected in the ICANN delegation of authority guidelines. The ICANN Board adopted these guidelines on 8 November 2016, to identify the respective key roles of the Board and the Chief Executive Officer (CEO) and the delegation of authority from the Board to the CEO and key staff. If appropriate, these guidelines can be modified. See: ICANN Board resolution on ICANN delegation of authority guidelines at: <https://www.icann.org/resources/board-material/resolutions-2016-11-08-en#1.f>; and the ICANN delegation of authority guidelines at: <https://www.icann.org/en/system/files/files/delegation-of-authority-guidelines-08nov16-en.pdf>.

The ICANN Bylaws also provide some specific assignment of roles, many of which are reflected in the guidelines.

- What powers have been delegated by the ICANN Board to the Chief Executive and/or to staff more broadly, either with a need for an approval/consent/information check with the Board or for staff implementation.

See above.

- Is there any document (public or in-house) that enumerates such power delegation with the various approval/information checks?

See above.

- What elements of the following document/s (or similar documents/systems) are in place regarding staff interaction with the community:

- Code of Conduct
- Transparency obligations or criteria
- Induction
- Training
- Key performance indicators

- Cross Function communication and influence, are there any Col firewalls between ICANN functional unites.

ICANN.org has developed policies, processes and/or guidelines that reflect the organization's commitment to providing efficient and orderly operation of the business while protecting the rights and safety of all staff. In particular, ICANN.org has a policy on Employee Conduct and Work Rules as well as a Policy on the Prohibition of Harassment. These govern all interactions that involve staff members.

All of ICANN.org's policies are reviewed with new staff during the onboarding program and are always available on the internal staff portal. As a reminder of the importance of ICANN.org's commitment to the specifics of the policies, many are also distributed to staff on a regular basis. All employment policies remain available to employees electronically on a 24x7 basis.

During onboarding, staff is also provided with information on all aspects of the organization, including the roles of the Board and the community. ICANN's strategic plans and the kpi's associated with the plans, in addition accountability and transparency obligations are covered generally during the onboarding, and then any which may specifically apply to a staff person's responsibilities will be explained by their managers and/or addressed in regular department meetings. Additional training is periodically provided on the best practices in many areas, such as managing people, interpersonal communication and facilitation.

Every staff member completes a Conflict of Interest form which is reviewed by Global Human Resources with input from the General Counsel's office where required. These are updated annually. Where a conflict is identified, HR and legal work with the individual's manager to reduce the staff's interaction in the conflicted area.

- How is staff accountability to the community, broadly expressed, audited or monitored or reviewed?

In general, ICANN expects that "staff accountability to the community" means that those within the ICANN Organization are performing the work that they are hired and expected to complete. Members of the ICANN Organization are held accountable to their job responsibilities through ICANN's performance management work. Employees report to their managers, and every employee at ICANN is responsible for meeting goals and objectives that are set and then reviewed with his or her manager on a semi-annual basis. Staff's work in meeting certain behaviors is also evaluated at regular intervals, which take into account how individuals demonstrate commitment to ICANN's mission and evaluate interactions with stakeholders (internal or external). ICANN's work is guided by the strategic and operating plans.

All employees within the ICANN Organization, whether their job duties involve working with external stakeholders or not, are evaluated through the same process.

- What feedback does ICANN seek from the community on matters related to staff accountability, and how does it solicit and consider that feedback?

The ICANN community – as with any other issues – can raise with ICANN management any concerns or observations as they relate to staff accountability. If there are concerns within the community that people within the ICANN Organization are not performing their duties appropriately, management takes those concerns seriously and would welcome the forwarding of fact-based information that can be appropriately considered and investigated, if necessary. This is exactly the type of issue that could be brought to the Complaints Officer, once established, so that community members did not have to guess as to an appropriate inroad to voice these concerns.

- What processes are in place to respond to any community concerns regarding staff accountability, including appropriate escalation processes?

ICANN management regularly meets with their respective employees, through performance reviews or other avenues to ensure adherence to ICANN's internal policies and practices. Management raises with employees any concerns, which would include issues of staff accountability, and those employment performance related concerns are handled through ICANN's established internal escalation and performance management processes.

- What role does ICANN see the Ombudsman function as playing in helping to assure appropriate staff accountability?

The community can raise issues with the Ombudsman with regards to staff accountability if it relates to issues of fairness or other items appropriately within the Ombudsman's jurisdiction. If the issue, however, becomes a human resources-related issue, the resolution of the concern is not within the Ombudsman's jurisdiction. See mandate of the Ombudsman at <https://www.icann.org/ombudsman>.

- Are individual staff members accountable to the ICANN community, or are they only accountable to their bosses in the ICANN staff hierarchy? In other words are there multiple points of staff accountability to the community or is only the CEO accountable?

Individual staff members are accountable to the ICANN Organization, which supports the community. The CEO is the ultimate point of accountability for how the ICANN Organization provides service to the community. No ICANN employee reports to any person outside of the ICANN Organization. Internally, each employee understands to whom they report.

- Are there different accountability structures for policy staff who are an integral part of the community process than there is for operational staff, e.g. GDD?

Each employee of ICANN.org has specific job responsibilities. The documentation for policies by which the employees must adhere are the same across the organization. There are not different accountability structures, this would create confusion for the roles and responsibilities, and adherence to organization-wide policies on accountability. Of course, for those in the ICANN Organization that work with external stakeholders, and at times have the external stakeholders responsible for the identification of deliverables, or other external-facing responsibilities, those are part of the roles and responsibilities for which those people are evaluated.

- Is the CEO accountable to the Board, to the ICANN community or to both?

The ICANN CEO reports to the Board. The CEO is responsible, as part of his job duties, in making sure that the ICANN Organization delivers on its support responsibilities to the ICANN Community.

- Are staff, members of the ICANN community? Are they stakeholders in any sense? If they are stakeholders, how does their position in the hierarchical top down structure affect the nature of their stakeholder relationship to the rest of the community?

ICANN.org employees are members of ICANN.org, to serve the community.

Questions for the community:

- What are some concrete examples of concerns that the community has with regards to staff accountability? Are the concerns about individual service delivery/individual staff, or about the potential that staff might cause a violation of ICANN policies, processes, or Bylaws?
- In the staff accountability group, there have been suggestions that people within the ICANN Organization are afraid to speak to the community. Can you provide more detail to support these suggestions? Is the reluctance to speak based on perceptions of how the ICANN Organization will respond, or how the community will respond?
- ICANN expects all people within the ICANN Organization to be respectful to the community in interactions. If the community is not treated with respect, that would clearly be an issue about which ICANN should be made aware. What is the expectation for the community in addressing members of the ICANN Organization?
- Do you think that there should be areas where people in the ICANN Organization should be directly accountable to the community? What would this look like, and how could it be

done in a way that does not interfere with the employer relationship? Are the enhancements of the Reconsideration and IRP Process, where staff action can be challenged directly, sufficient to address the subgroup's concerns? How does one prevent inconsistent feedback to ICANN.org employees?