ICANN Complaints Office

Complaints Office Update for Governmental Advisory Committee

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Agenda

⊙ Purpose and objectives of the Complaints Office

⊙ What types of complaints can be submitted?

⊙ Role of the Complaints Office versus the Ombudsman

⊙ Who can submit a complaint, and how can the Complaints Office be useful to the GAC?

⊙ Overview of complaints submitted through 30 April 2018

⊙ Complaints Office recommendations

⊙ Useful links

Purpose and Objectives

Purpose:

⊙ Assist the ICANN org in achieving its commitment of continuously working to increase its effectiveness

⊙ Provide additional operational accountability and transparency

Objectives:

⊙ Centralized and streamlined process to review, research and resolve complaints about the ICANN org

⊙ Use aggregated data to identify any trends across the org

⊙ Provide another avenue for open communication with the community

⊙ Create a public history of issues that have been raised and addressed

⊙ Increase accountability, transparency and effectiveness

What Types of Complaints?

What Type of Complaints can be Submitted:

⊙ Complaints regarding the ICANN org, that don't fall into a previously existing complaints process

⊙ Complaints regarding ICANN org, such as:
  - ⊙ Process does not appear to be working properly
  - ⊙ Timeliness of deliverables from ICANN org
  - ⊙ Level of ICANN org staff support
  - ⊙ Accessibility of information from ICANN org

⊙ Previously existing complaints processes such as:
  - ⊙ Contractual Compliance
  - ⊙ Bylaws mandated Accountability Mechanisms such as the Ombudsman or Request for Reconsideration
  - ⊙ Global Support Center

Complaints Office versus the Ombudsman Roles

	Ombudsman	Complaints Officer
Function	• Independent function, reporting to the ICANN Board, not to the ICANN Organization • Established in the ICANN Bylaws	• A function within the ICANN Organization • Established by the CEO
Reports To	• ICANN Board (per ICANN Bylaws) • The Ombudsman is independent from the rest of the ICANN Organization	• ICANN Organization, directly reporting to the General Counsel • Works with the ICANN Organization Executive Team and employees
Visibility Level	• Confidential process	• Transparent by default, as appropriate; may be restricted if requested by complainant
Scope	• Investigates complaints from ICANN community members who believe that ICANN staff, Board or an ICANN constituent body has treated them unfairly • May investigate systemic issues of unfairness	• Evaluates issues and complaints related to the ICANN Organization. For example, issues that may be related to how a request was handled, a process that appears to be broken, insufficient handling of an issue • May investigate systemic organizational issues

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Who Can Submit a Complaint and How it is Useful to the GAC?

- ⊙ Who?
  - ○ External party submits a complaint to the Complaints Office or to ICANN org employee
  - ○ ICANN org employee identifies an issue and alerts the Complaints Office
  - ○ ICANN Complaints Officer identifies an issue

- ⊙ How can the Complaints Office be useful?
  - ○ It's a tool that the GAC, GAC members or representatives can utilize to have complaints they have regarding the ICANN org researched, responded to, and where applicable, improved upon
  - ○ Provides visibility into issues and resolutions the org is experiencing and allows for trends to be more easily identified
  - ○ By raising visibility into issues. Recommendations from the Complaints Office are shared and discussed with the relevant ICANN org teams and their ICANN Executive, in addition to the ICANN CEO

Complaints Submitted

- ⊙ Overall In-Scope Complaints
  - ○ 36 – Complaints received to date
    - 13 – open
      - 11 Status = respond
      - 2 Status = Evaluate & consider
    - 23 – closed

- ⊙ Complaints by Department and Current Status
  - Communications: 3 - 3/closed
  - Contractual Compliance: 16 - 7/closed, 1/evaluate & consider, 8/respond
  - Finance: 2/closed
  - Global Domains Division: 8 - 7/closed, 1/respond
  - Human Resources: 2 - 1/closed, 1/respond
  - Information Technology: 1 - 1/respond
  - Multistakeholder Strategy and Strategic Initiatives: 1 - 1/closed
  - Onbudsman: 1/evaluate & consider
  - Policy Development: 1 - 1/closed
  - Public Responsibility Support: 1 - 1/closed

Recommendations

There are two types of recommendations the Complaints Office makes:

1. Recommendations regarding individual complaints (updates published monthly)
2. Recommendations regarding trends the Complaints Office has identified over time (published semi-annual report)

Recommendations regarding individual complaints:

⊙ Contained in the individual responses provided to complainants

⊙ Are handled directly with the relevant ICANN org teams. Examples of recommendations:

  ○ Updates to a GDD process/ C-2017-00007
  ○ Improvements to the Whois Accuracy Reporting System/ C-2017-00008
  ○ Improvements to publishing of certain meeting materials/ C-2017-00015

⊙ All complaints receive a response but not all receive recommendations. Complaints that fall outside ICANN's remit typically do not have recommendations, but instead educational information. Examples are:

  ○ Request for ICANN org to amend Transfer Policy/ C-2017-00001
  ○ Request for ICANN to modify the DNS infrastructure/ C-2017-00002
  ○ Request for ICANN to renew an expired domain name/ C-2017-00017

Recommendations - Continued

Recommendations regarding trends the Complaints Office has identified over time:

1. Identify and implement ways to minimize the number of touchpoints parties have with the ICANN org when they are seeking help or information

   ○ Parties get bounced around a lot and have multiple touchpoints before reaching the correct department within ICANN

2. Review and update content explaining ICANN's remit, using layman's terms, regarding the company's role and remit and how the ICANN model works

   ○ Many parties contact the ICANN org with requests that are outside its remit. For example: requests for the org to change a Consensus Policy, transfer a domain name, or address issues with a Facebook page

Recommendations - Continued

Recommendations regarding trends the Complaints Office has identified over time (continued):

3. Submitting a Contractual Compliance complaint: Revaluate and update the forms used for submitting a complaint regarding Contractual Compliance with ICANN registry and registrar agreements

   O The current forms can be confusing and are difficult for a layperson to navigate

4. Improve process and controls: Systematically review, consider and, where fitting, implement improvements to operational processes

   O To address the rapid growth of the ICANN org and model, current processes and procedures should be reevaluated for optimization

5. Registrant and user education: ICANN org and community work together to see if there are opportunities to better educate registrants and users

   O Registrants and end users could benefit from simplified information regarding the domain name system, ICANN the institution, ICANN the organization, and the roles of each

Useful Links

⊙ Complaints Office webpage: https://www.icann.org/complaints-office

⊙ Report of Ongoing Complaints Activity: https://www.icann.org/complaints-report

⊙ Semi-Annual Report of Complaints Officer Observations and Recommendations: https://www.icann.org/en/system/files/files/complaints-office-semi-annual-report-07mar18-en.pdf

⊙ Joint blog – Ombudsman and Complaints Officer: https://www.icann.org/complaints-report

⊙ Complaints Office Frequently Asked Questions:

○ English: https://www.icann.org/en/system/files/files/complaints-office-faqs-18may17-en.pdf

○ 6 other UN languages: https://www.icann.org/complaints-office

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