ICANN Complaints Office Semi-Annual Report

15 March 2017 – 31 December 2017

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7 March 2018

ICANN

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About the ICANN Organization's Complaints Office

Purpose, Objectives, and Guidelines

The Complaints Office was established in March 2017 by the ICANN org to help maximize its effectiveness, and to provide additional transparency and accountability, all in service of ICANN's mission. Part of the ICANN org, the Complaints Office function:

- ⊙ Provides a centralized location to submit complaints about the ICANN org.
- ⊙ Receives complaints, researches them, collects facts, reviews, analyzes, and resolves issues as openly as possible.
- ⊙ Ensures that complainants get responses to their complaints.
- ⊙ Aggregates the data from complaints to identify and solve for operational trends that need improvement.

The Complaints Office handles complaints about the ICANN org that do not fall under existing complaints mechanisms. Examples are complaints about the handling of a request, a process that appears to be broken, insufficient handling of an issue, or an indication of a systemic problem. Wherever possible, the office verifies information to ensure that recommendations and resolutions are based in fact.

The Complaints Office strives to be open, transparent, responsive, and accountable to all parties, and to make recommendations that are constructive and attainable. Above all, the office acts with integrity and remains neutral in the handling of complaints.

Letter from the Complaints Officer

The Complaints Office, established in March 2017, was established to help the ICANN org to become its very best. This semi-annual report describes key activities and metrics for the reporting period, and provides observations and recommendations from the Complaints Officer, all which have been reviewed by and discussed with the ICANN President and CEO, Göran Marby.

Since the Complaints Office started receiving submissions in May 2017, it has received 858 submissions, of which 22 were complaints about the ICANN org and 836 submissions related to other processes. Many of the 22 complaints led to the ICANN org improving processes, but there were several complaints regarding issues the org is not permitted to change – such as requests to override Consensus Policy or to re-architect the Domain Name System. These types of complaints still receive a response that focuses on educating the person who filed the complaint about the ICANN model and the role of the ICANN org.

The complaints that were raised truly added opportunity and value for the org to research, analyze and in improve upon its work, all in a transparent manner. There was diversity in the complaints received, which led to collaborative engagement and learning across many departments and teams within the org. While the Complaints Office did observe reticence to raise issues from members of the ICANN community, it is important that people continue to submit their complaints about the org to help identify opportunities where we can make improvements as we strive to be the very best.

Looking ahead over the next six months, the Complaints Office will continue its internal and external engagement efforts to raise awareness about the office and its importance to improving processes within the org. The office will continue to improve its reporting capabilities and will work to establish process timing expectations. While the Complaints Office is new to the ICANN org, both in function and age, early signs are that it is working as intended and provides a valuable resource for transparently demonstrating operational accountability for the work the org delivers.

Sincerely,

Krista Papac
Complaints Officer

Key Activities and Metrics for the Period of 15 March 2017 – 31 December 2017

This section provides activities and metrics for the semi-annual reporting period and shares examples of things the ICANN org was able to improve as a result of a complaint being submitted. This is the first semi-annual reporting period since the Complaints Office was established, and therefore covers nine-months. During the reporting period, the office focused on three key activities: establishing a centralized process for handling complaints; reporting; and internal and external engagement to raise awareness and gather feedback from the community and the org.

Process

The complaints process was formally launched in April 2017. The following steps and protocols are utilized when a submission is received by the Complaints Office:

Initial Review
- All submissions are reviewed to see if they fall within the scope of the office.
- Out of scope submissions are forwarded to the appropriate complaints mechanism, for example – Contractual Compliance or the ICANN Ombudsman.

In-Scope Complaints Handling
- The complainant receives confirmation their submission will be handled by the Complaints Office, is reminded that the process is transparent, that the complaint will be published with appropriate redactions, and given an estimated timeframe for the next communication.
- A departmental owner for the complaint is identified. Departmental ownership is assigned based on the department with the most subject-matter-expertise which is not necessarily the department where the problem originated.
- The Complaints Officer interviews the departmental owner and other relevant employees, collects, reviews and analyzes facts, researches appropriate data, and works with management to determine if improvements are warranted and if so—what can be done. The Complaints Officer is independent and will make her own recommendations, based on research and facts. If there is disagreement regarding improvements between the Complaints Officer and relevant department executives, the issue is escalated to the Complaints Officer's supervisor and the ICANN CEO.
- Once a complaint is fully researched, a path forward is decided. A path forward can be many things, for example: improvements to a process identified in the complaint, improvements to a process not included in the complaint, no improvements can be implemented, among others.
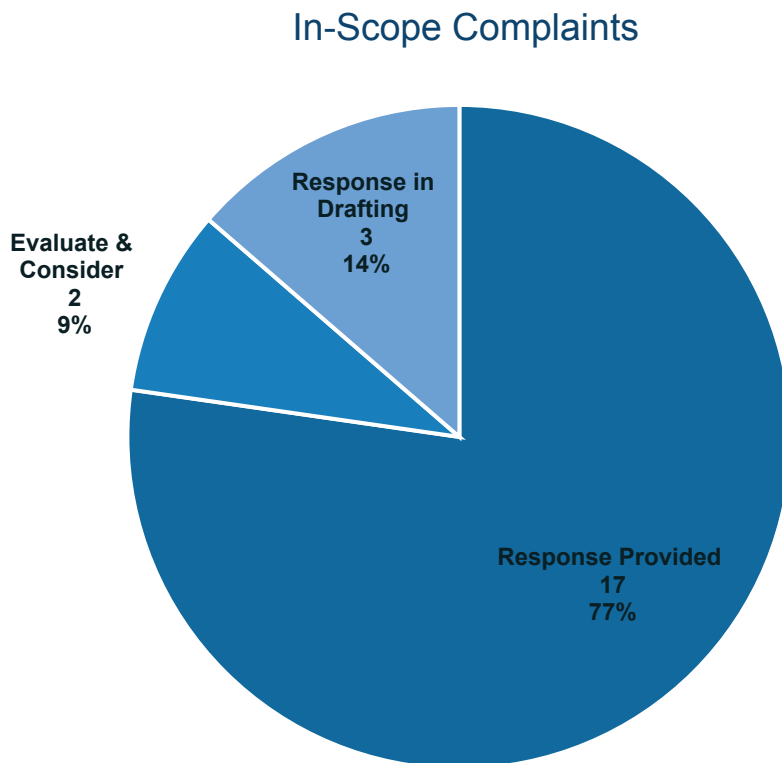- The Complaints Officer provides the complainant with a response, which is also published.

Reporting

Each month, a cumulative update regarding in-scope and out-of-scope submissions is published. The monthly report can be found on the complaints report webpage. This page is a centralized location where submissions and relevant data are aggregated and includes:
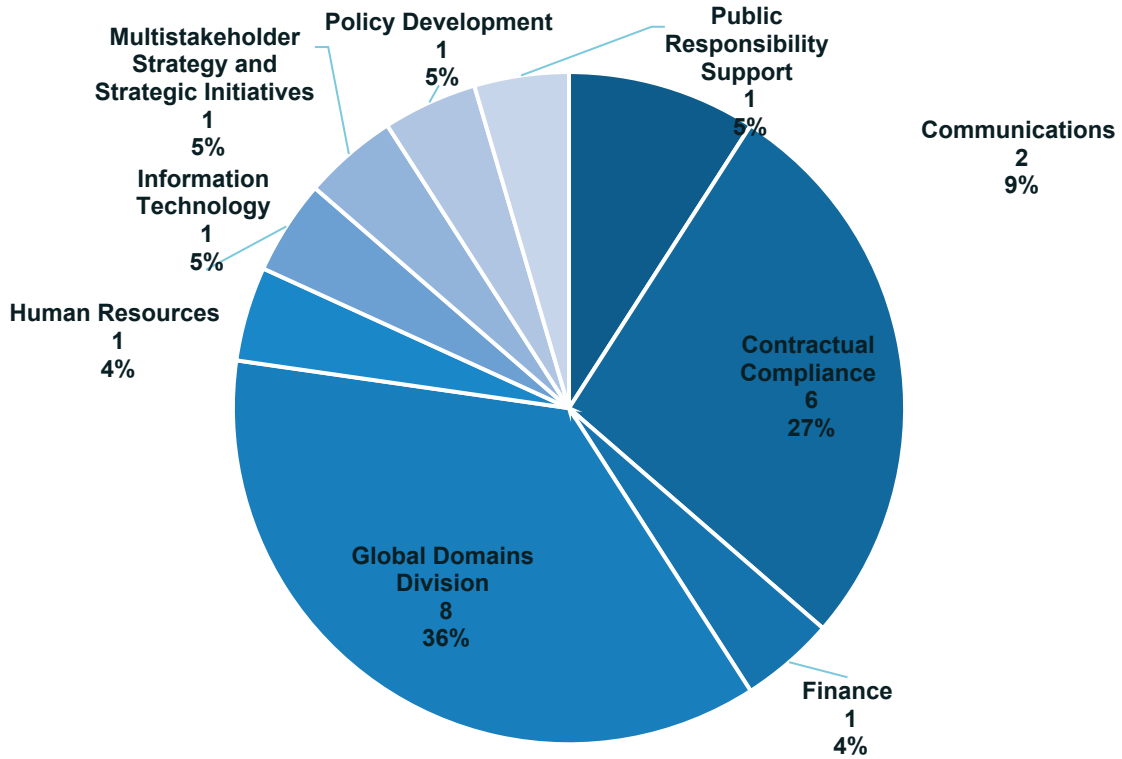
- Basic data regarding in-scope complaints (date received, current status, complainant, brief description of complaint)
- A published version of in-scope complaints
- A published version of accompanying responses from the Complaints Officer
- An aggregated summary of submissions that were outside the scope of the office.

The first monthly Complaints Report was published in June 2017. The monthly report is typically updated five business days following the end of a month. The publication of this information provides increased operational accountability and transparency into the ICANN org.
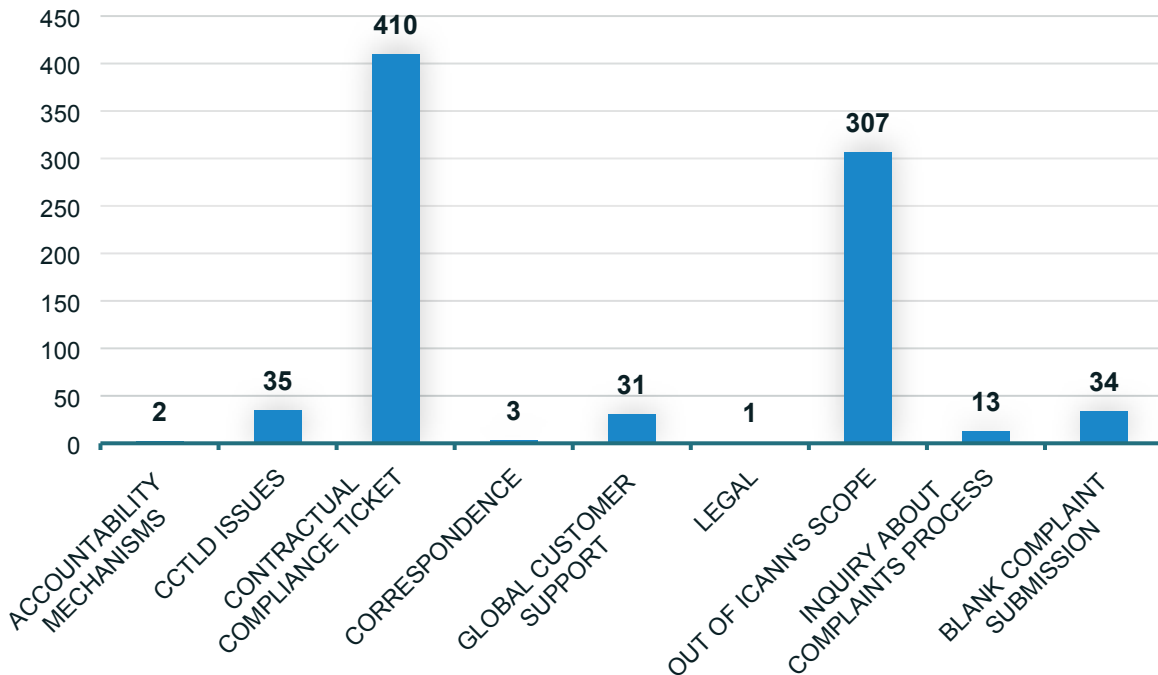
Complaints Office Statistics for the Reporting Period 15 March 2017 – 31 December 2017

In-Scope Complaints

Response in Drafting
3
14%

Evaluate & Consider
2
9%

Response Provided
17
77%

Complaints by Department

Policy Development
1
5%

Multistakeholder
Strategy and
Strategic Initiatives
1
5%

Public
Responsibility
Support
1
5%

Communications
2
9%

Information
Technology
1
5%

Human Resources
1
4%

Contractual
Compliance
6
27%

Global Domains
Division
8
36%

Finance
1
4%

Out-of-Scope Submissions

Category	Value
ACCOUNTABILITY MECHANISMS	2
CCTLD ISSUES	35
CONTRACTUAL COMPLIANCE TICKET	410
CORRESPONDENCE	3
GLOBAL CUSTOMER SUPPORT	31
LEGAL	1
OUT OF ICANN'S SCOPE	307
INQUIRY ABOUT COMPLAINTS PROCESS	13
BLANK COMPLAINT SUBMISSION	34

Engagement

Another key focus during this period was to create awareness and open lines of communication, both internally and externally, to ensure understanding of the office, its role, and how it can be utilized as a tool to address issues related to the ICANN org and the work it delivers.

In order to make the Complaints Office accessible to all ICANN stakeholders including ICANN participants, registrants, end users, etc., the following communications efforts were executed during the period.

External Engagement
- Established a web presence on icann.org for the Complaints Office
- Published multiple blogs to:
  - Announce the establishment of the Complaints Office
  - Inform the public when the Office officially opened and what its objectives and next steps are
  - Clarify the roles of the ICANN Complaints Office and the ICANN Ombudsman
  - Announce the publication of the first monthly report
- Published a Frequently Asked Questions (English) document to address questions that were coming from the ICANN community. This document is also available in the other six United Nations Languages (see: https://www.icann.org/complaints-office).
- Dedicated webinar for the Asia Pacific region
- Dedicated session at ICANN's 60th meeting in Abu Dhabi, United Arab Emirates
- Various social media activities including Twitter, Facebook and LinkedIn

It is equally important that employees of the ICANN org have a good understanding of the Complaints Office and the value it brings. Therefore, internal engagement focused on a variety of activities to educate employees. The following internal engagement activities were executed during the period.

Internal Engagement
- Executive team and All Hands updates
- Internal blogs to; announce the establishment of the Complaints Office, its objectives and next steps, clarify the roles of the ICANN Complaints Office and the ICANN Ombudsman, and advise when the first monthly report was published
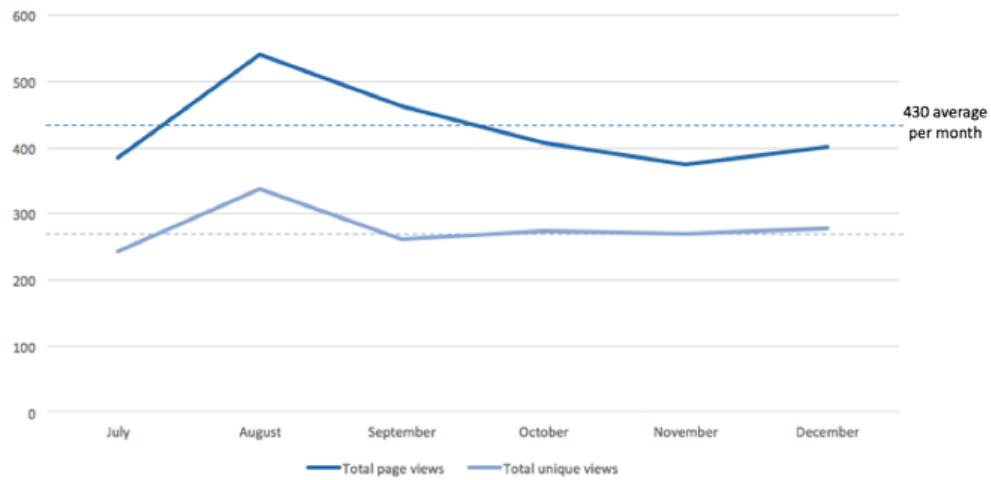- Dedicated one-on-one meetings with individual departments and teams

In addition to push communications, the Complaints Office has been monitoring its webpages for traffic data and has the below observations:
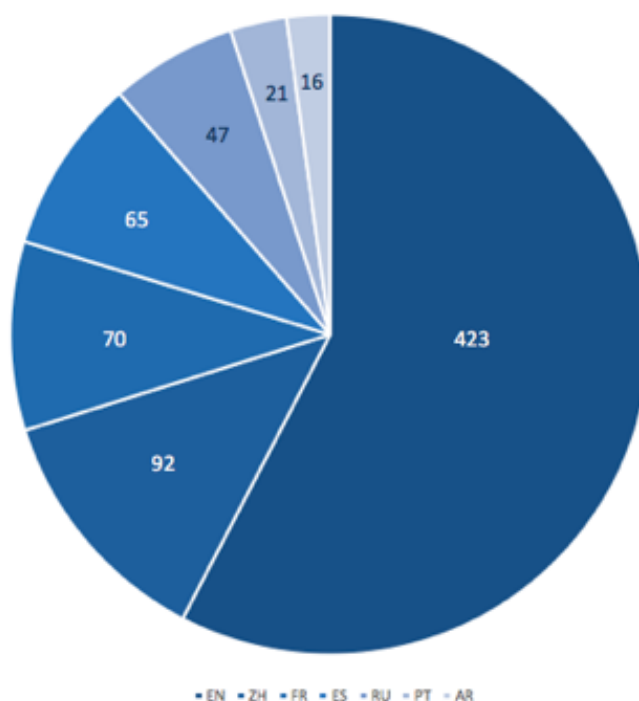
Complaints Office Page Views by Month
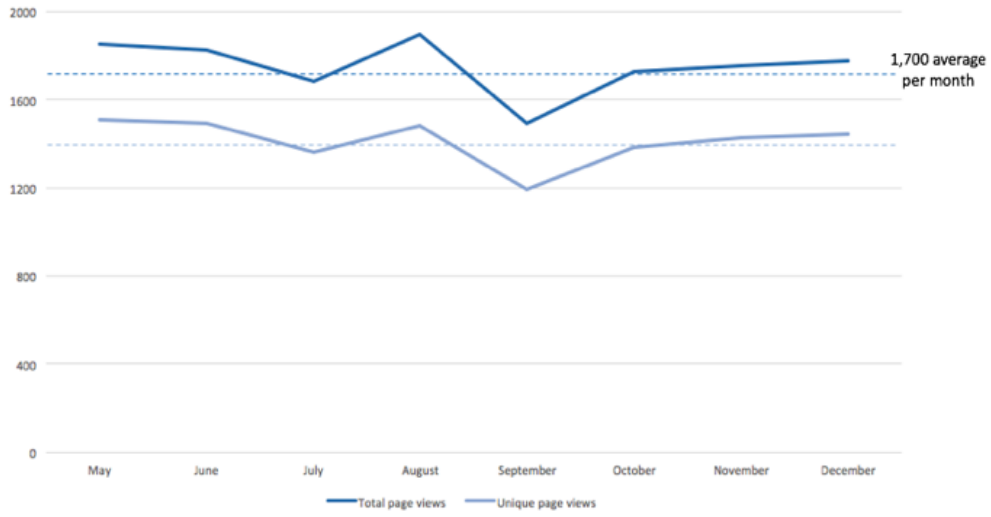
Complaints Report Page Views by Month

Complaints Office FAQ PDF Downloads

• EN • ZH • FR • ES • RU • PT • AR

Were Improvements Made as a Result of Submitted Complaints?

In addition to the three key activities – process, reporting and metrics – submitted complaints raised the ICANN org's awareness regarding a number of new or known issues and enabled improvements to be implemented or scheduled for implementation. Examples of a few improvements the org made in response to complaints received:

- ⊙ Complaint C-2017-00006: Improvements to the public comment auto-responses; implemented a bug-fix to the public comment system; expedited the updating of internal documentation and process changes.
- ⊙ Complaint C-2017-00007: Improvements to the RRA Amendment process for contracted parties and creating additional self-help tools for using the process.
- ⊙ Complaints C-2017-00018 and C-2017-00020: Improved the quality assurance process for posting recordings.
- ⊙ Complaint C-2017-00016: Improvements to the contracted party invoicing process, improved visibility for contracted parties into what process improvements are being made to ensure timely and accurate invoices, and the identification of additional improvements.
- ⊙ Complaint C-2017-00019: Updated the Terms of Use for the Naming Services Portal.

These fixes and others were made possible because of the level of dedication and subject matter expertise of employees of the ICANN org. When staff were made aware of a complaint, they were eager and willing to work with the Complaints Officer to educate understand and then resolve issues to help make the org the very best it can be.

Key Observations and Recommendations

Summary of Key Observations

On an ongoing basis, the Complaints Officer not only works to research, address, and respond to complaints, but also reviews complaints to see if there are operational trends or observations that should be considered. Observations from the current reporting period are separated topically and discussed below.

Navigating the ICANN org

There is generally confusion as to where one goes to get help with an issue from the ICANN org. To start, the usage of the word "complaint" is confusing. ICANN uses it in reference to a variety of processes and procedures, many of which are not interrelated. While the use of the word complaint is appropriate in most, if not all, cases it also makes it difficult for someone seeking assistance to get to the correct department for assistance. Often times a complainant's best efforts still lead them to the wrong department where they are then redirected to the correct department. This creates the effect of being shuffled around and often leads to people having to submit the same information multiple times. For example, initial issue is submitted to the Complaints Office, is referred to the Global Support Center, who then refers the party to Contractual Compliance. This observation is derived from: the high number of out-of-scope submissions which appear to be related to attempts to find a place to lodge a complaint, and complaints C-2017-00021 and C-2017-00022.

Understanding ICANN's Remit

The remit of ICANN is not widely understood by users and/or registrants. People often believe the ICANN org's authority extends beyond what it is.

During this semi-annual reporting period, the Complaints Office received over 300 submissions regarding issues that fall outside ICANN's scope. The Out of ICANN's Scope submissions are largely comprised of:

- ◉ Dissatisfaction with customer service received from a contracted party
- ◉ Lack of understanding regarding the role of registrars, resellers and web-hosting companies
- ◉ Claims of identity theft, illegal activity, financial scams, disputes between private parties over domain name registration, unauthorized use of content, deceptive practices, etc.
- ◉ Requests for the ICANN org to "regulate" contracted and non-contracted parties
- ◉ Requests for the ICANN org to delete, register, lock or unlock domain names
- ◉ Requests for the ICANN org to address criminal activity
- ◉ Requests for the ICANN org to address issues related to online content or spam

In addition to submissions that are outside of ICANN's scope, there were also several submissions that, while the complainant was offering a criticism of the ICANN org, they were not issues the org is empowered to resolve. For example, requests for the ICANN org to change a Consensus Policy or to compel a registrar to renew or reinstate an expired domain name. This

can be a confusing and disappointing realization to the complainant. When the Complaints Office receives such complaints, they are still researched, and responded to as it is an opportunity for the org to better communicate with stakeholders regarding the roles and responsibilities of the ICANN org and to encourage participation in the ICANN model.

Adding to the confusion about the ICANN org's remit, registrants often times receive inaccurate or confusing information from their domain name providers, such as: ICANN has locked your domain name, or you need to verify your contact data with ICANN.

This observation is derived from: the high number of "out of ICANN's scope" submissions which appear to be related to misunderstanding ICANN's remit and authority, and complaints C-2017-00001, C-2017-00002, C-2017-00009, C-2017-00013, C-2017-00014, and C-2017-00017.

Lack of Processes and Controls

In several instances, there appears to be a need for additional or enhanced process and/or controls. When a process isn't fully-defined or the appropriate controls aren't in place, it creates an opportunity for well-meaning employees take action or make decisions that may not be optimal. Additionally, some processes have a single point of failure which can lead to unintended results. This observation is derived from research and interviews of submitted complaints. For example:

- Complaint #C-2017-00006: An upgrade to the public comment software was made, however the automated text returned by the upgraded software was neither drafted nor reviewed by the process owner which contributed to the complainant's issue.
- Complaint #C-2017-00015: The publication of recordings and transcripts for community meetings that are adjacent to an ICANN meeting isn't well defined and led to a complaint regarding a delay in the publication of materials.
- Complaints #C-2017-00018 and #C-2017-00020: The quality assurance process for publishing certain recordings, such as webinars, wasn't well defined and had a single point of failure, leading to complaints regarding unintended restricted access to recordings.

Summary of Recommendations

In reviewing and considering submissions to the Complaints Office received in 2017, here are a few recommendations for the ICANN org to consider. It is important to note that several of the below recommendations are intended to be addressed by the Information Transparency Initiative project that was launched in January 2018. The Information Transparency Initiative's goals include improving external search of ICANN's public content in all six U.N. languages, creating content governance, and building new technical infrastructures to enforce governance and enable improved content findability.

Recommendation 1
Navigating the ICANN Org When You Have a Complaint

It is commonly understood that navigating the ICANN org can be complicated and confusing – particularly for those with an issue or complaint or that are looking for help. Parties who come to the ICANN org for help or with a complaint often end up at the wrong department which results in additional, unnecessary touch points and a frustrated stakeholder. It is recommended that the ICANN org evaluate its usage of the word "complaint", clearly define what it means, and apply the definition consistently across the website, the ICANN org, and the org's communications with external parties. This includes reconsidering the title of the Complaints Office and Complaints Officer. This consistent taxonomy should be coupled with a centralized place on icann.org where a user can describe their question or problem and be dynamically directed to the most appropriate resource. It is also recommended that the org revaluate how user inquiries enter the company and are directed to minimize the number of times an inquirer is transferred to different departments. For example, parties who have a "complaint" regarding a registrar or registry's performance come to the "Complaints" Office where they are directed to the Global Support Center who explains the role of Contractual Compliance but is unable to submit, check the status of, or provide an update regarding an existing Contractual Compliance complaint. Therefore, the Global Support Center directs the party to the Contractual Compliance section of icann.org where they can resubmit their problem. Additionally, the departmental name of the Global Support Center is applicable to the assistance they provide contracted parties, however it is misleading to the majority of parties they assist which are registrants and end users. It is recommended that the ICANN org reconsider the name of the Global Support Center

Recommendation 2
Explaining the ICANN Org's Remit

Another commonly understood issue among those familiar with ICANN is that it's hard for outsiders to grasp what ICANN's remit is, what it is empowered to do, and what is outside its remit or authority. While the Domain Name System and ICANN's oversight role are obscure to those unfamiliar with it, it seems the org could provide a more understandable explanation. It is recommended that the ICANN org review and update its content, using layman's terms where possible, regarding what the company's role and remit are and how the ICANN model works.

Recommendation 3
Submitting a Contractual Compliance Complaint

For those users navigating the contractual compliance section of ICANN's website, it's challenging for them to determine what form they must submit. It is recommended that the org reevaluate its contractual compliance complaint forms and update them to make it easier for an average person to identify what form they must use. While it is important when referring to contracts to use specific language, the pages could benefit from including layman's terms where possible to assist the average visitor in self-navigating and to reduce frustration.

Recommendation 4
Improvements to Process and Controls

The ICANN org has been through a rapid growth phase over the past five years. During this time, the org has worked to professionalize and improve its operations and processes. While these improvements have been effective, there is still opportunity for further improvement. It is recommended that the ICANN org establish a systematic way to review, consider and, where fitting, implement improvements to its operational processes. This exercise should evaluate the processes, but must also include an evaluation of controls, process documentation, and failure points. Such an exercise will lead to additional rigor, fewer errors, and more predictability for the org, its stakeholders, and its employees.

Recommendation 5
Registrant and User Education

There is a significant portion of the registrant population who may not appreciate they are entering into a business relationship when they are purchasing a domain name. For example, in reading some of the out-of-scope submissions there are many examples where registrants are upset that their registrar doesn't speak their language or doesn't offer their desired level of customer support. Those of us in the ICANN org and community may take for granted the level of Domain Name System sophistication that registrants and users possess. While the ICANN org recently established a Registrant Program to try and address some of these gaps, it is further recommended that the ICANN org and community work together to see if there are opportunities to better educate registrants and users.

Look Forward: 1 January – 30 June 2018

In addition to ongoing operations, the Complaints Office is planning the following activities for the next six months:

- Implement an automated ticketing system to improve tracking, reporting, and trend analysis capabilities for all submissions to the Complaints Office.
- Update Complaints Office webpage to assist visitors in navigating to the correct section of the icann.org website when they are looking for help.
- Continue evolving the monthly report, its readability and usefulness.
- Continue outreach to internal ICANN org teams; expand outreach to ICANN Service Organizations and Advisory Committees; identify and perform outreach opportunities for the greater stakeholder community.
- Begin measuring the turnaround times, from receipt to closure and in between stages, of a complaint.