

Policy Advisory Body Report

This report will be tabled for approval at Meeting 64

**Sixty third meeting of the Policy Advisory Body
Victoria Park Plaza, 239 Vauxhall Bridge Road, SW1V 1EQ
14 July 2009**

Those present:

| | |
|---------------------|--|
| Gordon Dick | Nominet Board |
| The Earl of Erroll | Appointed Member - apComms |
| Dave Evans | Appointed Member – Information Commissioners Office |
| Clive Feather | Elected Member |
| Mark Healey | Elected Member |
| Nora Nanayakkara | Elected Member |
| Eric Ramage (Chair) | Appointed Member – Institute of Trade Mark Attorneys |
| Stephen Rhodes | Appointed Member – BIS |
| Rob Taylor | Elected Member |
| Michael Toth | Elected Member |
| Tom Wills-Sandford | Appointed Member – Intellect |

By invitation of the PAB:

Martin Boyle, Senior Policy Advisor, Nominet
Leanne Kenny, Policy Executive, Nominet
Iain Maclean, Independent Facilitator, The Maclean Partnership

PAB July Meeting – Report

1) Welcome and apologies

Apologies were received from James Conaghan, Ulrika Diallo and Sara Draper.

The Chair welcomed Iain Maclean an independent facilitator who would be assisting the PAB with their discussion of agenda item 6a.

2) Declaration of Interests

Eric Ramage declared that Michael Toth's company Lively Ltd was now a client of Alexander Ramage Associates.

The Chair confirmed that he had completed the new declaration of interests form and no comments had been received from any other PAB member. The Secretariat agreed to circulate the new form on list and requested all members to complete and return it promptly. Appointed members were reminded that they are referred to in the text preceding the form and that by not completing the form it is inferred that they have nothing to declare.

The PAB agreed the resolution set out in the attached annex.

3) Approval of the May meeting report

The meeting report was approved.

4) Matters arising

There were no matters arising.

5) Board Response to PAB resolutions

One PAB member felt that the Board response to the extension of the phishing lock did not acknowledge the importance of the lock being reviewed following 6 months usage. It was confirmed that the Board have noted this part of the recommendation.

6) PAB internals

a) The Future of the PAB

The Chair invited Iain Maclean to facilitate the discussion on the future of the PAB.

No PAB member was entirely satisfied with the way that the PAB operated and all agreed that significant reform was needed.

The PAB was seen as the only formal structure for Nominet's outward-facing engagement with external stakeholders, but members agreed that the PAB had very limited engagement outside Nominet. Members also agreed that the approach for the PAB should be an issues-based one: currently the PAB was too reactive and inward looking: there is no mechanism for identifying what those outside the industry see as important issues, or for engaging with stakeholders to get this input.

In discussion, members identified a large number of different stakeholder groupings with which the PAB should be ensuring dialogue: it was recognised that this would be unmanageable - because of the enormous workload - in the current PAB structure. It was recognised that not all of the issues of concern to the identified stakeholder groupings would be appropriate for Nominet and that this would require care in handling stakeholder expectations. One possible approach was that the policy advisory function would be a coordinating function, providing a channel for communications between members, different stakeholder groups, expert groups and special interest groups, and from international fora.

All agreed that Nominet had the responsibility to work for the interests of all stakeholders, and not just for the domain name industry itself: elected representation in the current set up was seen by some as too-heavily registrar focussed, because of the nature of the Nominet membership and the election process. No one thought that the current structure met the needs of wider stakeholders. The Chair said that in the past, some elected members had seen their role as "keeping the Board in order", and the Chair thought this had been disruptive to the focus of the PAB.

It was agreed:

1. That there needed to be a better induction process for those engaging in the policy advisory role, and that it would be useful to draw up a job description for members. (This obviously depends on the finally agreed structure and nature of the role.)
2. The nature of the PAB role needed to change. This was seen as providing a light-touch coordinating function for ensuring effective communication between stakeholders and the Nominet Board.
3. It was agreed that further discussion would be needed to refine the model and look at the nature of a coordinating function and the level that a coordinating group would operate. This would also need to look at resources for the agreed function.

4. The PAB agreed to invite the Board to consider this idea and request its approval for the approach identified in the discussion. The PAB wanted to continue the discussion of a radical review of the way that we ensured effective communication between stakeholders and Nominet.
5. The PAB agreed on the importance of identifying issues where Nominet might need to ensure active engagement with wider stakeholders.
6. The Executive should carry out stakeholder mapping and identify how to liaise and work with these groups effectively and on what issues.

b) PAB Rules

It was agreed that discussion on the PAB rules should be deferred pending further discussion of the future of the PAB. There continue to be two elected member vacancies: one vacancy following the non-election and one vacancy following the dismissal of a PAB member. One PAB member was of the view that these vacancies should be filled despite the ongoing discussion on the future of the PAB. The Chair highlighted that the PAB is not in a position to fill the vacancies because:

- there is no mechanism or clearly identified pool of candidates to fill the vacancies;
- there are no agreed or objective criteria for selecting candidates for co-option.

With the exception of one member the PAB agreed that this discussion should be put on hold, particularly in the context of the discussion on the future of the PAB.

7) PAB work programme including

a) New Items for the Work Programme

The PAB discussed the proposed items planned for the September meeting and agreed that the PAB Performance review could be circulated and approved on list rather than as an agenda item and the .uk brand would be deferred.

The September meeting will continue the discussion on the future of the PAB and will look at follow-up to the APACS phishing workshop. The Secretariat agreed to amend the work programme accordingly.

8) Matters arising from nom-steer and pab-suggest

One PAB member raised the issue of receiving spam from the pab-suggest and pab-feedback lists. The Secretariat explained that this was as a result of these being public email addresses displayed on the Nominet website. It is proposed that, in order to reduce the amount of spam received by PAB members, they will be unsubscribed from these lists and the Secretariat will forward relevant emails to the PAB list.

9) AOB

There was no other business

10) Date of next meeting

Following discussion it was apparent that a number of members would not be able to attend the meeting scheduled for the 9 September. The Secretariat was asked to work with members to find an alternative date.

Outcomes of the meeting

1. Declaration of Interests

The PAB resolved to recommend that the new Declaration of Interest form be adopted.

2. Future of the PAB

It was agreed:

1. That there needed to be a better induction process for those engaging in the policy advisory role, and that it would be useful to draw up a job description for members. (This obviously depends on the finally agreed structure and nature of the role.)
2. The nature of the PAB role needed to change. This was seen as providing a light-touch coordinating function for ensuring effective communication between stakeholders and the Nominet Board.
3. It was agreed that further discussion would be needed to refine the model and look at the nature of a coordinating function and the level that a coordinating group would operate. This would also need to look at resources for the agreed function.
4. The PAB agreed to invite the Board to consider this idea and request its approval for the approach identified in the discussion. The PAB wanted to continue the discussion of a radical review of the way that we ensured effective communication between stakeholders and Nominet.
5. The PAB agreed on the importance of identifying issues where Nominet might need to ensure active engagement with wider stakeholders.
6. The Executive should carry out stakeholder mapping and identify how to liaise and work with these groups effectively and on what issues.

The PAB agreed to invite the Board to consider the suggestions generated from the discussion and sought its support for continued discussion on a radical review of the way that we ensure effective communication between stakeholders and Nominet.