



## OVERSIGHT BOARD - APPLICANT PRIVACY NOTICE

This privacy notice describes how Oversight Board LLC, Oversight Board UK and Oversight Board UK Services Limited (sometimes referred to in this Applicant Privacy Notice collectively as “**Oversight Board**”, “**we**”, “**us**” and “**our**”) and the trustees of the Trust (as defined in the [Glossary](#)) process information about you when you apply for any role with Oversight Board (except for a role as a Board Member).

If you are applying to be a Board Member, a separate recruitment process will be followed, as Oversight Board will carry out such recruitment in conjunction with Meta. We will provide such Board Member applicants with a separate privacy notice.

**This privacy notice does not apply to any personal data that we receive from Meta, or that an individual provides through visiting [oversightboard.com](https://oversightboard.com) as part of any appeal or case, to enable Oversight Board to provide content review services to Meta, in relation to which please see the [Data Policy for the Oversight Board’s Data Processing Activities](#).**

For an explanation of terms used in this privacy notice, please see the [Glossary](#).

### **1. What kinds of information does Oversight Board collect about you?**

To evaluate your application, Oversight Board must collect and process information about you. The Trust will collect your personal information only from Oversight Board.

- **Information and content you provide.** We collect the information you provide to us when making your application and during the application process, including where you communicate with us via email, telephone or social media and when you visit our offices. This can include your name, contact details and other identification details, the information in your CV or resumé, education and employment history, financial information such as salary requirements and previous salary, and photographs or CCTV footage from security cameras inside



or outside our offices. We may also ask you to tell us about any Conflicts of Interest you may have (as explained further in the [Glossary](#)). It is important that the information that you give us is accurate and current and so you should let us know if your information changes during the recruitment process.

- **Information others provide about you.** Oversight Board may also receive and/or collect information about you from other people such as recruitment agencies, former employers, background check suppliers, credit reference agencies, people you nominate to provide references, entities that you are affiliated with (such as a University), entities who may sponsor you for an internship (if applicable) and publicly accessible sources (such as Facebook, LinkedIn, Twitter and other social media).
- **Data with special protection.** During the application process you may disclose to us Sensitive Information about your race or ethnicity, religious or philosophical beliefs, trade union membership, sexual orientation, political opinions and your health. Where relevant to the role you have applied for, Oversight Board may also collect information relating to criminal convictions, allegations, proceedings and offences, in order to assess your fitness for the role. We may also receive these types of information through background checks we (or third parties on our behalf) carry out. This information is subject to special protection under EEA and UK law. You can find more information about how we process this type of information [here](#).

## 2. How do Oversight Board and the Trust use this information?

Oversight Board and the Trust use your information to support and inform Oversight Board's recruitment and hiring process. Here's how.

- **To evaluate applications.** We use your information to assess your skills, qualifications and suitability for the work or role, to carry out background and reference checks where applicable and to decide whether to offer you a position.
- **To communicate with you.** We may use the contact information you provide to communicate with you about your application.



- **For operational and administrative purposes.** We will use your information to record Oversight Board's hiring processes and to manage and plan Oversight Board's organisation, including accounting, auditing, budget planning and reporting. The Trust may also process your personal information in order to comply with its purpose of facilitating the funding, management and oversight of the Oversight Board, including budget management, and to enable the Trust to comply with its own governance requirements.
- **To promote safety, integrity and security.** We may use your information to respond to suspected fraud or other illegal activity, or to protect the rights and property of Oversight Board, the Trust and others.
- **For legal and compliance reasons.** We may need to use your information to implement internal policies and to comply with laws, legal processes, and government requests.

If you do not provide information necessary for Oversight Board to consider your application (such as evidence of qualifications or work history), Oversight Board may not be able to fully process your application. For example, if Oversight Board requires references for this role and you do not provide the relevant details, then Oversight Board may not be able to advance your application.

### **3. How is this information shared?**

Oversight Board and the Trust work with service providers who help us with our recruitment process and help to provide and improve our services (such as IT service providers and professional advisers). We do not sell personal information. Oversight Board and the Trust do not allow third-party service providers to use your personal data for their own purposes. We also impose strict restrictions on how our service providers can use and disclose the personal information we provide. Here are the types of third parties with whom we share information:

- **Search consultancies, professional employer organisations and other entities relevant to your application.** We may need to share your information with search consultancies in order to process your application. Occasionally, a



role with Oversight Board may be provided through a professional employer organisation or via a University that we have partnered with or via any entity through whom any internship with us might be arranged, in which case Oversight Board may receive and exchange information about you with that organisation.

- **Vendors and service providers.** We provide information to vendors and service providers who support our respective operations, such as by providing IT or human resources services or carrying out background checks.
- **Board Members.** We may need to share your information with certain Board Members, specifically those serving in the capacity of co-chair, as needed to manage the operations of Oversight Board, including, but not limited to, the recruitment and retention of key personnel.
- **Professional advisers and other external parties.** We may need to share your information with professional advisers and other external parties, for example to obtain legal, IT or human resources services, or in connection with carrying out background checks, and as needed to manage the operations of Oversight Board and to fulfil the purpose of the Trust.
- **Legal, supervisory or regulatory authorities.** We may share information with legal, supervisory and regulatory authorities and any government agencies and law enforcement bodies, or in response to a valid subpoena or legal process served by a third party, to comply with our legal obligations; protect the rights and property of Oversight Board and/or the Trust, Oversight Board's employees, the trustees of the Trust, and other stakeholders; and to detect and respond to suspected illegal activity and threats to the safety of any person, systems or services.
- **In connection with any restructuring.** We may need to share your information with third parties in order to implement any restructuring of Oversight Board and/or the Trust, such as a merger, sale or other transfer of part or all of the assets of these organisations.
- **With other third parties, with your consent or at your direction.**

#### **4. How does Oversight Board work with Meta and the Trust?**



We may need to share your information as an applicant with Meta and its representatives where necessary or relevant to a role, particularly if you may have access to Meta data while performing the role for which you have applied (if you are appointed to that role). This is because Oversight Board acts either as Meta's data processor, service provider or sub-processor in respect of Meta data, and therefore we have certain legal and contractual obligations to Meta.

As a result of reporting requirements set forth in the [Trust Agreement](#), Oversight Board may need to share your information with the trustees of the Trust. In limited circumstances and in keeping with data minimisation principles, the trustees of the Trust may also share your information with Meta pursuant to the [Trust Agreement](#) and other documents related thereto.

## **5. What is our legal basis for processing data under the GDPR?**

Where the GDPR applies, Oversight Board and the Trust may collect, use and share your information on one or more of the following legal bases:

- as necessary to comply with our respective legal obligations;
- to protect your vital interests, or those of others;
- as necessary in the public interest;
- as necessary for our (or others') respective legitimate interests, unless those interests are overridden by your interests or fundamental rights and freedoms that require protection of personal data;
- to perform our contractual obligations, or to take steps at your request prior to entering into a contract with you;
- in the case of certain Sensitive Information:
  - with your consent, which you may revoke at any time;
  - to carry out employment obligations;
  - to establish, exercise or defend legal claims; or
  - where the information has already been made public by you.



[Learn more](#) about these legal bases and how they relate to the ways in which we process data.

## 6. How can you exercise your rights provided under the GDPR?

If you are a resident of the European Economic Area (EEA) or United Kingdom (UK) you have the right to:

- **Request access** to your personal information (commonly known as a **data subject access request**). This enables you to request a copy of the personal information that Oversight Board and the Trust hold about you and to check that it is lawfully processed;
- **Request correction** of your personal information;
- **Request erasure** of your personal information. This enables you to ask Oversight Board and the Trust to delete or remove personal information where there is no good reason for Oversight Board or the Trust to continue to process it;
- **Object to processing** of your personal information where Oversight Board or the Trust is relying on a legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground;
- **Request the restriction of processing** of your personal information. This enables you to ask Oversight Board and/or the Trust to suspend the processing of personal information about you, for example if you want to establish its accuracy or the reason for processing it; and/or
- **Request the transfer** of your personal information to another party.

To exercise any of these rights, please contact the Oversight Board's Data Protection Officer by emailing [dataprotection@osbadmin.com](mailto:dataprotection@osbadmin.com).

## 7. Data retention and deletion



Oversight Board and the Trust store data until it is no longer necessary to fulfil the purposes for which it was collected. This is a case-by-case determination that depends on things such as the nature of the data, why it was collected and processed; and relevant legal or operational retention needs. Please note that the Trust may have retention periods that differ from those of Oversight Board.

In some circumstances, Oversight Board or the Trust may anonymise your information or aggregate it with other information so that it can no longer be associated with you, in which case Oversight Board or the Trust may use the information without further notice to you.

If Oversight Board wishes to retain your information on file, in case a further employment opportunity arises in future, it will write to you separately, seeking your consent to retain your information for a fixed period for this purpose.

## **8. Transferring information outside the UK or EEA**

Oversight Board might need to transfer your information from the UK or the EEA to the United States of America (in part because the Trust and Oversight Board LLC are both located in the United States of America) and might also need to transfer your information to other countries outside the UK (both in and outside the EEA) where Oversight Board has a legitimate interest in doing so or where any other circumstance in section 2 of this privacy notice applies.

There is no adequacy decision by the European Commission or United Kingdom in respect of the United States of America, which means that it is not deemed to provide an adequate level of protection for personal information. This may also be the case for other countries to which Oversight Board needs to transfer your information.

However, to ensure that your information receives an adequate level of protection when we transfer data to such countries, Oversight Board has or will put in place appropriate measures. If you require further information about this, you can request it



from the Oversight Board Data Protection Officer by emailing [dataprotection@osbadmin.com](mailto:dataprotection@osbadmin.com). Any such requests will also be immediately forwarded to the individual handling such matters on behalf of the Trust where relevant.

## **9. Disclaimer**

This privacy notice does not form part of any contract for employment or other contract to provide services. The giving of this privacy notice does not indicate any promise or offer of employment or other contract to provide services, nor any other promise (whether in relation to internship, volunteering, or otherwise).

## **10. Automated decision-making**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

## **11. Changes to this Notice**

Oversight Board and the Trust reserve the right to update this privacy notice at any time. Oversight Board and the Trust may also notify you in other ways from time to time about the processing of your information.

## **12. Data controllers**

Under the GDPR, a data controller is responsible for deciding how it holds and uses personal information about you. For residents of the EEA or UK:

- Oversight Board UK, Oversight Board UK Services Limited, Oversight Board LLC or the Trust will be a data controller, depending on the relevant processing, and two or more of them may be joint data controllers, when relevant.
- Oversight Board LLC will be the data controller in relation to information that it receives; and





- the Trust will also be a data controller in relation to information that it receives from Oversight Board LLC.

If information is collected directly by Oversight Board UK or Oversight Board UK Services Limited, they will typically be acting as a processor of Oversight Board LLC. However, in some circumstances, for example where Oversight Board UK or Oversight Board UK Services Limited has a direct relationship with vendors, either Oversight Board UK or Oversight Board UK Services Limited may act as data controllers.

Oversight Board is registered with the UK Information Commissioner's Office as a data controller as follows:

- Oversight Board UK - registration number ZA804287;
- Oversight Board UK Services Limited – registration number ZA754240;
- Oversight Board LLC - registration number ZA763744.

### **13. Contact us**

If you have any questions about this privacy notice, please contact the Oversight Board's Data Protection Officer by emailing [dataprotection@osbadmin.com](mailto:dataprotection@osbadmin.com).

Where possible, please identify whether your request is addressed to Oversight Board, the Trust or both of them.

### **14. Your right to complain**

UK and EEA data subjects have the right to make a complaint to their national supervisory authority for data protection issues. For UK data subjects, this is the UK Information Commissioner's Office.

### **15. European representative**

To comply with the General Data Protection Regulation (2016/679) we have appointed a European representative. If you wish to contact them, their details are (post) Bird &



Bird GDPR Representative Services Ireland, Deloitte House, 29 Earlsfort Terrace, Dublin 2, D02 AY28, and (email) [EUrepresentative.OversightBoard@twobirds.com](mailto:EUrepresentative.OversightBoard@twobirds.com).

**Date of last revision:** December 10, 2021



## Glossary

The terms “**personal data**” and “**information**” and “**personal information**” mean any information that identifies, relates to, describes, or is reasonably capable of being associated with or linked to an individual. It does not include de-identified or anonymous data.

**Board Member** means an independent contractor of Oversight Board LLC, who is a member of the Oversight Board, a group of independent contractors of Oversight Board LLC who provide content review and related services to Meta.

**Conflicts of Interest.** Independence is important to Oversight Board. In order to ensure that it can make independent judgments and decisions, Oversight Board may ask you to declare if you or anyone Related (as defined below) to you have any “conflicts of interest” (for example, owning shares in Meta). Conflicts of Interest include but are not limited to the types of potential conflicts of interest identified in the Oversight Board Code of Conduct (contained within the Oversight Board Bylaws).

**Meta** means Meta Platforms, Inc., and its affiliates, including but not limited to Facebook Ireland Limited and Instagram.

**GDPR** means the EU General Data Protection Regulation or the national laws of the United Kingdom which implement EU General Data Protection Regulation within the United Kingdom, as applicable.

**Oversight Board** means Oversight Board LLC, Oversight Board UK and Oversight Board UK Services Limited and may include any additional affiliates of Oversight Board LLC from time to time. Oversight Board UK and Oversight Board UK Services Limited both operate under the management of Oversight Board LLC, a Delaware limited liability company, the sole member of which is the trustees of the Trust, collectively.

**Related** to you means:



- any of your family members or household members, including but not limited to a spouse or partner; parents or step-parents; siblings; children (including step-children and adopted children); a spouse's or partner's parents and siblings; uncles, aunts, nephews, nieces and cousins ("**Family Member**"); or
- your business partner, sponsor, or someone who is employed or engaged by you or by a Family Member.

**Sensitive Information** means information that reveals your racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sexual orientation or criminal convictions, offences, allegations or proceedings.

**Trust** means the Oversight Board Trust u/a dated October 16, 2019, a Delaware non-charitable purpose trust, administered by the trustees who are serving from time to time under the Trust Agreement.

**Trust Agreement** means that certain trust agreement, dated October 16, 2019, as amended February 16, 2020, March 31, 2020, and October 13, 2020, as may be further amended, creating the Oversight Board Trust u/a dated October 16, 2019, a Delaware non-charitable purpose trust.



## Legal bases for processing data under the GDPR

The rights outlined below only apply to residents of the UK or EEA.

Under European and UK law, companies must have a legal basis to process data. You have rights depending on which legal basis we use, and we've explained these below. No matter what legal basis applies, you always have the right to request access to, rectification of and deletion of your data under the GDPR.

The legal bases that we rely on in certain instances when processing your data are:

- **Your consent:**

We may ask you to provide certain Sensitive Information to us during the recruitment process in order to fulfil Oversight Board's purpose of providing independent content review services to Meta and to establish and maintain our reputation for impartiality and fairness (such as through our equal opportunities monitoring and any Conflicts of Interest declaration you provide). This could include information about your race or ethnicity; religious or philosophical beliefs; trade union membership; sexual orientation; political opinions and/or health.

*When we process data that you provide to us based on your consent, you have the right to withdraw your consent at any time. To exercise your rights, please email [dataprotection@osbadmin.com](mailto:dataprotection@osbadmin.com). Once Oversight Board and the Trust have received notification that you have withdrawn your consent, Oversight Board and the Trust will no longer process your information for the purpose or purposes you originally agreed to, unless Oversight Board or the Trust has another legitimate basis for doing so under the law.*

- **Our legitimate interests or the legitimate interests of a third party, where not outweighed by your interests or fundamental rights and freedoms:**



We may process your information where it is necessary for the purposes of the following legitimate interests:

- To allow Oversight Board to recruit and retain staff;
- To evaluate applications for positions with Oversight Board;
- To promote and carry out the functions of Oversight Board and the Trust;
- To establish and maintain Oversight Board's reputation for impartiality, in particular by avoiding any Conflicts of Interest;
- To allow the trustees of the Trust to properly carry out their duties to oversee and administer Oversight Board where these require access to personal data;
- To comply with Oversight Board's internal policies; and
- To protect Oversight Board and/or the Trust (including our rights and property) and others, including in the context of investigations or regulatory enquiries.

*You have the right to object to, and seek restriction of, such processing. To exercise your rights, please email [dataprotection@osbadmin.com](mailto:dataprotection@osbadmin.com).*

We will consider several factors when assessing an objection to processing, including: your reasonable expectations; the benefits and risks to you, us or third parties; and other available means to achieve the same purpose that may be less invasive and do not require disproportionate effort. Your objection will be upheld and we will cease processing your information, unless the processing is based on compelling legitimate grounds which override your interests, rights and freedoms, or is needed to establish, exercise or defend a legal claim.

- **To enter into or perform a contract:**

Oversight Board may process your information in order to enter into, perform or consider entering into, a contract with you (such as an employment contract). Depending on the type of information requested, Oversight Board may not be able to enter into the contract with you if you do not provide this information.



- **To carry out employment obligations.**

For instance, we may need to process your information (including Sensitive Information) to carry out legal obligations in relation to your prospective employment or engagement (such as making reasonable adjustments for any disability you may have).

- **To establish, exercise or defend legal claims:**

We may need to process your Sensitive Information to establish, exercise or defend legal claims. For example, Oversight Board may use your information to show that it has not discriminated against candidates on prohibited grounds or that it has conducted the recruitment exercise in a fair and transparent way.

- **Compliance with a legal obligation:**

For processing data when the law requires it, including, for example, if there is a valid legal request for certain data.

- **Where the information has already been made public:**

UK and EEA law does not require us to obtain your consent in order to process Sensitive Information where you have manifestly made it public (for example, the political views of a politician).

- **Protection of your vital interests or those of another person:**

We may need to process your Sensitive Information to investigate and combat threats made to members of Oversight Board's staff.

- **Tasks carried out in the public interest:**

For example, to promote safety, integrity and security, where this is necessary in the public interest. This could include ensuring equal opportunities for applicants from all backgrounds and promoting a diverse workforce.



When we process your data as necessary for a task carried out in the public interest, you may have the right to object to, and seek restriction of, our processing. To exercise your rights, please email [dataprotection@osbadmin.com](mailto:dataprotection@osbadmin.com). In evaluating an objection, we'll take account of several factors, including: your reasonable expectations; the benefits and risks to you and third parties; and other available means to achieve the same purpose that may be less invasive and do not require disproportionate effort.